



KUNA PLANNING AND ZONING COMMISSION
Agenda for September 12, 2017

Kuna City Hall ■ Council Chambers ■ 751 W. 4th St. ■ Kuna, Idaho

1. CALL TO ORDER AND ROLL CALL

Chairman Lee Young
Vice Chairman Dana Hennis
Commissioner Cathy Gealy
Commissioner Stephen Damron
Commissioner John Laraway

2. CONSENT AGENDA

- a. Planning and Zoning Commission Meeting Minutes for August 22, 2017.
- b. **17-02-AN** (Annexation), **17-06-S** (Preliminary) – Cazador; Residential Subdivision – a request seeking annexation of approximately 40.20 acres into Kuna City with an R-6 zone (Medium Density Residential) and preliminary plat approval to create a subdivision with a gross density of 4.08 dwellings per acre, yielding 164 residential, and 18 common lots. The site address is 2332 N. Ten Mile Road. ***Findings of Fact and Conclusions of Law.***

3. OLD BUSINESS

- a. *Tabled from 8/22/2017* - **17-04-AN** (Annexation) – a request from John Browning for approval to annex approximately 6.82 acres located at 882 E Hubbard Road, Kuna, ID 83634 with an R-8 (medium density) residential zoning designation.

4. NEW BUSINESS

- a. **17-01-Vac** – File Ridge Subdivision Easement Vacation Request: The applicant is requesting approval for Easement Vacation for a portion of the File Ridge Subdivision Final Plat (Bk. 106, pg. 14640 – Ada County Records). The applicant proposes releasing the easements on the east, west, and south sides of Lot 1, block 1, File Ridge final plat, the south easements will remain fully intact (Ada County Assessor Parcel No. R2823300010).

5. PUBLIC HEARING

- a. **17-03-AN** (Annexation), **17-07-S** (Subdivision) and **17-21-DR** (Design Review) – Rising Sun Estates Subdivision; A request to annex approximately 36.30 acres into Kuna City with an R-4, residential zone, and to subdivide the property into 91 single family residential lots and 5 common lots and have reserved the name Rising Sun Estates Subdivision. A Design Review application for the common areas and buffer landscaping accompanies this application. The site is located at the south west corner of East Kuna and South Stroebel Roads, site address is 2067 E Kuna Road, Kuna, Idaho, In Section 30, T 2N, R 1E, APN #: R0615250650.

6. COMMISSION DISCUSSION AND REPORTS

7. ADJOURNMENT

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PLANNING & ZONING COMMISSION**

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Tuesday, August 22, 2017**

PZ COMMISSION MEMBER	PRESENT	CITY STAFF PRESENT:	PRESENT
Chairman Lee Young	X	Wendy Howell, Planning Director	X
Commissioner Dana Hennis	Absent	Troy Behunin, Senior Planner	X
Commissioner Cathy Gealy	X	Trevor Kesner, Planner II	Absent
Commissioner Stephen Damron	X	Jace Hellman, Planner I	X
Commissioner John Laraway	X		

6:00 pm – COMMISSION MEETING & PUBLIC HEARING

Chairman Young called the meeting to order at **6:00 pm**.

Call to Order and Roll Call

1. CONSENT AGENDA

- a) Planning and Zoning Commission meeting minutes for July 25, 2017.
- b) **17-05-ZC** (Rezone) – John Van Dyke with JSV Development rezone of 1.46-acre parcel from the current R-6 (medium-density residential) zoning to a C-1 (neighborhood business district) zone. – ***Findings of Fact and Conclusions of Law.***
- c) **17-05-S** (Preliminary) – Springhill Residential Subdivision – ***Findings of Fact and Conclusions of Law.***

Commissioner Damron motions to approve the consent agenda; Commissioner Laraway Seconds, all aye and motion carried 4-0.

2. PUBLIC HEARING

- a) **17-04-AN** (Annexation) – a request for approval to annex approximately 6.82 acres located at 882 E Hubbard Road, Kuna, ID 83634 with an R-8 (medium density) residential zoning designation.

Stan McCutchinson: 2818 N Mule Deer way in Meridian. I am here on behalf of John Browning, he could be here to tonight so he asked me if could sit in. I don't know much of the details and what has happened with staff up until now. But, I will be here to answer any questions you might have. But the only thing proposed is an annexation and rezone. As far as any particular application for development, that will come at a later point.

C/Young: Okay are there any questions for the applicant? **C/Gealy:** I have no questions at this time. **C/Young:** Okay Thank you. We will have staff please come on up. **Jace Hellman:** Chairman, Commissioners for the record Jace Hellman Planner I City of Kuna 751 W 4th St. The application before you tonight is for the annexation of approximately 6.82 acres into the City. The site is located at 882 East Hubbard Rd, directly east of the Patagonia Subdivision. The parcel is contiguous, or has its touches, along both its Northern and Western Boundaries. Within the County it is zoned Rural Residential. The applicant is requesting to be annexed into the city with an R-8 (medium density) Zoning Designation. The Future Land Use map identifies this site as Mixed-use general, which can expect residential densities ranging from 2 to 20 units per acre. Staff views this annexation request to be consistent with the Comprehensive Plan's approved Future Land Use Map. Potable Water and sanitary sewer are within 300 Feet of the property, and the applicant will be required to connect at the time of any future development. The applicant will need to show how they can maintain surface water rights for proper irrigation or they will be required to connect to the City's pressurized Irrigation system. It should be noted that

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public potable water is not to be used for irrigation purposes. Within the boundary of this parcel lies the United States' Mason Creek Feeder. The Boise Project Board of Control is contracted to operate and maintain this lateral, and I feel that it is important to note that no future development shall hinder their ability to operate and maintain this lateral. Staff has determined that all advertising requirements for tonight's hearing have been met, and the applicant has submitted all the necessary documents required for Annexation. Staff has concluded that this annexation is in conformance with Kuna City Code, Title five and the Kuna Comprehensive Plan and Future Land Use Map. Staff is forwarding a recommendation to recommend approval. I will now stand for any questions you might have, Thank you. **C/Young:** Are there any questions for Jace? **C/Gealy:** can you explain why the annexation is for an R-8 zoning, rather than R-6. **Jace Hellman:** I believe it is for the kind of development that the applicant is looking to do in the future, we don't have details on what he wants to do yet, that will come at a later date. **C/Laraway:** So, do I understand that we are here for two reasons? The annexation and then to approve the R-8? **Jace Hellman:** Just solely the annexation, and then when he comes in it is just approved as an R-8 zone. **C/Gealy:** Can you say that again? **Jace Hellman:** We are just approving an annexation and it will come in as an R-8, because county zoning does not match ours. **C/Young:** So, it is just coming in as an annexation, no preliminary plat at this time? **Jace Hellman:** Correct, just the sole annexation. **Troy Behunin:** Staff would just remind the commission that with an annexation, inherently there is a zone change, which is different than a rezone, because within the county it is something else, they have to choose a zone that fits our nomenclature, this is the one they selected. **C/Gealy:** They could have just as easily selected R-6. **Troy Behunin:** They could have, R-4, R-6, R-8 are all within the medium density. **C/Damron:** Jace what is the zoning of the subdivision just to the west of that. **Jace Hellman:** I believe it is R-6. **C/Gealy:** The packet indicates the surrounding use is R-6, the two contiguous is R-6. So, on my iPad, page 33 it shows the surrounding land uses. **C/Young:** Are there any more questions for staff at this time. **C/Gealy:** I have no other questions. **C/Young:** Thanks Jace. Okay, then that will bring up the public testimony and I don't see anybody signed up to testify at this time, is there anybody who would like to at this time? Seeing none, I will go ahead and close it at 6:11. That brings up our discussion on the annexation. So, any thoughts. **C/Laraway:** I am a little concerned by the R-8 and with the package that comes with the R-8. With the subdivision to the west at R-6, I don't know why we would have an R-8 right next to it. I don't feel comfortable with an R-8 that is getting to be to many houses per acre for my liking. **C/Damron:** There is a continuity to a neighborhood with Patagonia being to the west, as John was saying as an R-6. The continuity would flow better with an R-6 designation at that spot, and having a physical barrier of the creek right there. **C/Laraway:** Especially when we don't have a plot or anything to compare what is going to be there, and I am assuming, I am not a builder, maybe somebody can help me out, the typical house in an R-8 are 1200 or 1400 square foot homes? That just seems a little small. **C/Young:** Well the R-8 zone allows for not just single family, but it also allows for duplexes and multifamily as well. So, I guess they could go from small homes to multifamily, so I guess it just depends what is proposed. **C/Damron:** There is also this contiguous piece of property that comes to triangular point on the east of that and having the R-6 the R-8 and as small as that piece of property is, that would like something to me that they would want to put R-12 in there So we have three divisions of zoning in that small section, it looks like it would destroy the flow of that neighborhood in such a small area. **Jace Hellman:** Are you talking about that piece of property that is directly east of the property in question? **C/Damron:** Correct. **Jace Hellman:** That is the applicants home property, just a little piece of information. And just a reminder this is slated for mixed use which is two to twenty units per acre. **C/Damron:** I would like to see it come in as an R-6. **C/Gealy:** I would agree I think R-6 is more appropriate for this location. **C/Young:** The question for staff then, if a proposal came when a motion is made, I guess we have to have discussion with the applicant but if they are not willing to go for an R-6 would we go with just a denial? **Wendy Howell:** It is a recommendation for City Council, so since the applicant is not here at this time, and if the representative cannot answer the questions, you can always make the recommendation and then those questions can be asked at the council level. **C/Gealy:** Could the applicants

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representative approach again please? Do you feel that you could accept an R-6 designation, or would you rather defer to the applicant? **Stan McCutchinson:** I would rather defer to the applicant. **C/Gealy:** Okay thank you. **Wendy Howell:** Another option would be to table it.

Planning and Zoning Commission requests this item be tabled to a forthcoming Planning & Zoning Commission hearing

Commissioner Gealy motions to table Case No. 17-04-AN (Annexation) until the September 12th Planning and Zoning Commission Meeting; Commissioner Damron Seconds, all aye and motion carried 4-0.

- b) **17-02-AN** (Annexation), **17-06-S** (Preliminary) and **17-16-DR (Design Review)** – Cazador; Residential Subdivision – a request from Kirsti Grabo with KM Engineering, seeking annexation of approximately 40.20 acres into Kuna City with an R-6 zone (Medium Density Residential) and preliminary plat approval to create a Single-Family Residential subdivision with a proposed gross density of 4.08 dwellings per acre, yielding 164 residential lots and 18 common lots. The site address is 2332 N. Ten Mile Road, located on the south-east corner of Ten Mile and Ardell Roads, Kuna, ID 83634.

Kevin McCarthy: My address is 9233 W State St. The project we are here to discuss tonight is Cazador Subdivisions, it is the property located at South East corner of Ardell and North Ten Mile Road. It is about 40 acres, zoned RUT, with a comprehensive plan designation of medium density residential. With this application, we are requesting to annex this piece of property into the city of Kuna with a designation of R-6. Which is consistent with the surrounding subdivisions in the area. You will see in the packet there that we included a preliminary plat and we worked through staff and the various conditions in the staff report. We don't have much exceptions of the staff report except for the one comment and that's comment number 13, the request is made to have curb along Ten Mile. In going through ACHD's Staff Report, curb and gutter is not required along Ten Mile and we prefer to build a road, per ACHD's staff report, which widens the road out to seventeen feet with a borrow ditch, but we do build a side walk along the edge of right way that we dedicate, and that is fairly consistent up and down that corridor, north to south along Ten Mile. This corner, per ACHD report, which would be Ardell and Ten Mile, is planned to have a roundabout at some point in the future, and when that goes in the improvements include curb and gutter along Ten Mile, but the sidewalk will be there and again that will be a detached sidewalk. So that is the one condition we would like to have changed. Just going back into our layout, we have 164 buildable lots, and 18 common lots, we have a gross density of just over 4 units per acre, despite being in the R-6 zone. With that I will stand for any questions you might have. **C/Gealy:** I have no questions at this time. **C/Young:** I do have a question. I guess the discussions that were had with ACHD about the temporary access on Ten Mile until phase two was developed. Have you given much thought about making that a Permanent access to the site? I say that looking at that you have 145 lots that come off Ardell. You have two accesses off Ardell but there is only twenty lots on side that have two access points, and you one access point off Ardell and your other access point off the existing subdivision, so you have 145 new homes coming in basically from one access point. **Kevin McCarthy:** We circled around with ACHD on that, but I will let Tim Come up here explain to you. The spacing is a part of the requirement I think why the highway district would allow us to have a secondary access, other than a temporary basis and want it closed due to the proximity to where the future roundabout will be. **Tim Eck:** 6152 W Half Moon Lane, Eagle Idaho. We went over this extensively with ACHD, where can we put a secondary point of Ingress/egress, which will be our primary point of ingress/egress so that we are not dumping all the traffic into the existing subdivision. They were willing to allow us this temporary point. The location of it allows this aligns with another access across Ten Mile, but they will

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not allow it to be permanent because the location of it has a separation requirement between Ardell and this access, and this access is less than that separation requirement. In addition, when the Roundabout goes in, I think the separation may increase. Of course, all of this has been taken into consideration the Traffic Impact Study, and all the traffic flows. They all appear to be consistent with what will be implemented with Ardell, and when it is connected to Ten Mile. We would have made it permanent but they wouldn't allow it. **C/Young:** In those discussions do you recall their depth is? **Tim Eck:** I believe it is 660 feet, 660 feet from Ardell. **C/Young:** And how far is that temporary access from Ardell at this point? **Kevin McCarthy:** It is more than the 660 feet, but this issue is when it becomes a roundabout, and that is why it needs to be a temporary. **C/Young:** Thank you, are there any other questions for the applicant? Then we will have Troy come on up.

Troy Behunin: Good Evening Commissioners, for the record, Troy Behunin, Planner III, 751 W. 4th Street, Kuna. Before we begin the design review portion of this application is not on the agenda, the design review is actually a public meeting, it doesn't require the same type of noticing, so staff would just ask that this body actually handle that as a separate item added to the agenda, and we will handle that after the public hearing items, if the commission so desires.

Commissioner Gealy motions to add 17-16-DR (Design Review) to the agenda, following the public hearing; Commissioner Damron Seconds, all aye and motion carried 4-0.

The applications before you tonight are case No's 17-02-AN, 17-06-S and 17-16-DR (Annex, Pre-Plat and Design Review) is presented for your vote to recommend approval or denial to Council for the Annexation & PP, and your decision on the Design Review component. The application materials have been assembled for your packets, hopefully you have had a chance to review them as needed. All of the noticing procedures have been followed to hold the public hearing originally, and this case was tabled properly on July 25th to a date certain, tonight: the site was posted, a public notice was in the KMN, and announcement flyers were mailed to land owners within 350'. Those in attendance that night were informed of tonight's hearing. Additionally, the site was reposted by the applicant. The July 25th meeting was tabled because ACHD staff was awaiting the applicants TIS to be accepted by ACHD, which delayed their staff report. The ACHD report has been finalized and is include with tonight's packet. The applicant seeks annexation of approximately 40.20 acres, into Kuna City limits with an R-6 zone, which matches the Comp Plan map, designation of Medium Density Residential. This project is known as the Cazador Subdivision which is located at the SEC of Ten Mile and Ardell Road. This project has frontage along Ten Mile Road and future Ardell Road. The site touches City limits on all four sides is qualifies for annexation into the City. Applicant also proposed a preliminary plat for up to 164 buildable lots and 18 common lots one shared driveway, and a temporary ingress / egress on Ten Mile road to satisfy EMS access and other service provider standards. Applicant will remove the temp access once the Ardell Road segment is built, approved and accepted by ACHD and will become a buildable lot at that time. Staff has no concerns with this temp access. Applicant has also submitted for subdivision landscape design review and staff has no concerns with their proposed landscaping. Applicant will extend all public utilities to the site and anticipates 3 phases for the project total which will bring 164 total buildable lots, with a density proposed at 4.08 dwelling units per acre and with 18 common lots, and one shared driveway that total approximately 4.64 acres of open space including trails and pathways throughout for connectivity. Staff has worked with the applicant to get it before you tonight, and they have submitted everything staff has asked for. Staff finds this application to be in concert with the comp plan goals and the comp plan map and forwards a recommendation of approval for you to recommend approval to City Council. I stand for questions. **C/Damron:** On that section of Ten Mile. The applicant was asking us to not have them do the curb and gutter. Is there a drainage ditch over there or something for waterflow coming from the development or over water that water is going to flow

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to? Or does it just but up right against housing units. **Troy Behunin:** The applicant is responsible for any water his site creates and any historical flows that are on site. There is a proposed waste ditch, also called a borrow ditch, somewhere between the edge of pavement and the proposed sidewalk. That will be sized appropriately for the amount of runoff from the road. **C/Damron:** Okay. **Troy Behunin:** The reason that is in the staff report is because city code says curb and gutter are required, however what it does not say is that council works with ACHD on these matters, and whenever there is a programed improvement by ACHD, who is the maintainer and the keepers of the right of way, they have a programmed improvement for that part of the road, and because of that they don't want to inflict any more harm on the development or the developer by requiring things that are going to be pulled out. Historically Council follows ACHD's recommendation. **C/Young:** Okay, that brings up the public testimony at 6:34 and first I have listed is Scott and Lisa Edwards. **Scott Edwards:** Commissioners, my name is Scott Edwards, I live at 1534 W Castro Dr. in Kuna, my property is going to be right up against this. I have several questions, one of them was tabled last meeting, the traffic on that, right now that is a 45 mile an hour zone, is that going to be changed? **C/Young:** That is an ACHD decision. **Scott Edwards:** Because right now, I walk a lot, and to walk across that street at 45 miles an hour is unsafe. Kids on bicycles it is totally unsafe. My next question, is yeah that is ACHD, I don't have a copy of their, and could I get one? **C/Young:** Staff could supply one, but also the entire packet is available online, so everything we look at is available to the public at anytime, just go to the website as well, and go to the public hearings and you can find anything. **Scott Edwards:** I kind of feel that I am shooting in the dark here, because I have no information. My property faces north and south right up against this property. What are we going to do there, is there a fire lane going through there, is there lots going to be right up next to mine? I don't know what is going on here. **C/Young:** Castro Lane is that just to the south. **Scott Edwards:** yeah, my fence line is on the line between these two properties. **C/Young:** On the plat that I am looking at between the residences on the south of this property there are new homes being proposed along this fence line with a new road to the north of those houses. **Scott Edwards:** So, their lots are going to be right up again our fence line. Is that going to be surveyed so I know where the fence line is? **C/Damron:** Yes. **Scott Edwards:** We just have a lot of questions. R-6 is that apartments also? **C/Young:** These are all single-family homes. **Scott Edwards:** Very nice. That answered a lot of my questions right there. On drainage, the lowest point of the entire property is basically right at our backyard. We are on the south side of that and the whole property slopes to the south west. How is that going to be built up. **C/Young:** Legally the developer has to develop his property so all of those lots will slope and drain in that area based on their storm and sewer construction, nothing will slope back to the existing properties. **Scott Edwards:** That's about all I needed to know thank you. **C/Young:** Next I have listed as neutral is Gordon and Jaymie dye. **Gordon Dye:** Commissioner my name is Gordon Dye, I live at 1520 W Castro. My biggest concern is that our back fence is on the inside of their fence. When I went to the meeting with them, they said they were going to use our fence. Well it is on the other side of their fence, which causes me concern because their fence is on the inside. So, their fence that is up there right now, the wire fence that is here, our fence is here, and they said they were going to use our fence. It is about foot or so inside. That seems like they would be moving their property on to ours. **C/Young:** Not knowing where that property line is I can't address that. Is your fence on your property? Or is it on the property to the north. **Gordon Dye:** well they have an existing fence that has been there for many years and ours is inside or the south side of that. **C/Young:** But I guess the true questions would honestly be I don't know where the property line is and I can't answer the question without knowing where the property line is, or whose property the fence is one. Do you know? **Gordon Dye:** I am guessing when it was approved originally, when the subdivision put it in they put in on their property line. **C/Young:** So, I am guessing that the surveys and layouts they do will answer that. I can't answer where that is. **C/Damron:** They best way to check that is get your plat map, and look at the edge of your property. There should be pin points on there, and when they come out to check survey points, talk to the surveyor when he is there. Bring him your plat map and show him your fence line and you can compare the two. Your fence may have been put further out by the builder.

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He may have put the fence in the wrong spot. They will line up the survey pins with the plat maps and they should but right up against each other. So, check your map for your property and then get with the surveyor from that company and you guys can compare and they will show you exactly where your property line is and where their property line is. **Gordon Dye:** I don't want my fence torn down. **C/Young:** I do not see anyone else signed up to testify is there anybody here who did not sign in that would like to? Okay, seeing none, would the applicant come forward again to rebut any of those questions? **Tim Eck:** Commission again, Tim Eck, 6152 W Half Moon Lane, Eagle Idaho. Just trying to over hear some of the things. On Ten Mile, we already have 48 feet of right of way dedicated to ACHD, our site-specific condition of approval requires us to widen the paving to 17 feet from the centerline. So, from 17 feet to 48 feet, there is 21 feet of just open land, that is for future widening of Ten Mile. When Ten Mile widens they will then build curb and gutter at that edge, and then they will put all the required storm drainage retention facilities. Right now, everything is kind of just temporary. Where would we even put a curb and gutter. 21 feet from the pavement or half of the pavement will be torn out. The old wire fence that is already there, strung by a farmer 40 years ago, they are in a newer development, newer subdivision, certainly when that property was platted, surveyors came out and if their fence contractor did a reasonably appropriate job, their fence should be sitting just directly inside their property line. It is theirs, not ours and not mine. The wire fence is just close. Obviously, the wire fence will be torn down and the existing fence will remain, and of course when we come through with our plat we have to survey and pin every lot corner. So, that will clearly articulate exactly where the property lines are. **C/Damron:** Can you get with this gentleman after the meeting or get him with your survey crew, or you can connect together to make that happen so everyone is comfortable with what is happening? **Tim Eck:** We have some survey information we can tell him from the survey. If their fence was three feet on our property, we would be moving it and creating a new fence. If we are three feet on their property, they will probably want to move their fence to their property line. I am going to speculate that this isn't a 40-year-old fence, that it is probably really close to their property line. What is concerning is that old wire fence. What does that mean. You know an old barbwire fence put up 40 years ago, they are not real close. Are there any other questions? **C/Gealy:** Well yes, you indicated that the temporary nature of curb and gutter, would the drainage also be temporary? **Tim Eck:** Well yeah basically when you are in situation like that, you put in a borrow ditch and ACHD told us exactly where it is going to be, and it is just a small ditch that will catch the storm drain runoff, off of the east side of Ten Mile across our frontage. It is not a huge amount, we are only talking about 17 feet of asphalt. It will all be designed and elevated to drain accordingly, and as you mentioned all of the drainage on our side will be contained on our site. We won't allow to run on the neighboring properties. **C/Gealy:** So, the drainage you were talking about then, the temporary applies only to Ten Mile, not drainage on site. **Tim Eck:** That is correct, only on Ten Mile. Everything on site will remain. I believe we are doing seepage beds, so everything will be underground. And when ACHD does do the widening they will put in similar facilities when they widen it. **C/Young:** Okay, Thank you. I will go ahead and close the public testimony at 6:45 and that brings up our discussion. **C/Gealy:** I have a couple more questions for staff. Thank you Troy. I am confused about the temporary access onto Ten Mile because that means there is just one access into that subdivision, is that correct? **Troy Behunin:** No, there is actually going to be a number of them. There are going to be two on Ardell and there will be two to the east through Mineral Springs. **C/Gealy:** But there is no direct access from that subdivision on to Ten Mile. **Troy Behunin:** No there wouldn't be. In fact, that is good question. Normally it would be very acceptable to have another access point on to a major road, accept staff would not recommend another access point directly on to Ten Mile as a permanent solution. The reason why is because Ten Mile Road is quickly becoming a major thoroughfare as the gentleman at the beginning of the public hearing, clearly articulated how busy it was now, and it certainly will get busy in the future, however it is the City's goal and ACHD's goal to funnel as much traffic to what is called a mid-mile collector to get all of them in one focal point and then have them filter from a collector to a mile street which is Ten Mile and as the importance of Ten Mile increases the functionality of the

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road would essentially catastrophically decreased with additional permanent Ten Mile access points in between the mid mile and a full mile street. Does that unclutter and un-confuse you? **C/Gealy:** well I understand what you are saying, but that was not the approach that was taken to the south where there is an access point on to Ten Mile. **Troy Behunin:** Your right, the subdivision to the South which is Palomar Heights, pre-dates this subdivision at least 14 years, and standards were different when it was going through the approval process. I misspoke, this predates it by 12 years. Because Palomar Heights was going through the preliminary plat stages under a different set of rules, and believe it or not, even in 2009 myself and other city staff members and the Council, were engaged heavily in convincing Ada County Highway District the importance of the Ten Mile corridor, and somewhere between 2008 and 2016 when this project became a project they caught up with what staff believes. **C/Gealy:** I can't put my fingers on the Traffic Impact Study, what is the number of trips they are expecting from that subdivision. **Troy Behunin:** Typically, Traffic Impact Studies are required when you have 100 homes and the reason for that is because they expect and anticipate ten trips per home per day. So, you can times that by 164 lots. **C/Gealy:** ACHD find that is an acceptable number? I don't except that people are going to be going to the east, I expect they are going to be going...and I am not talking about the small subset of homes, I am talking about 150 homes, that are going to be funneling through the one access point, I suspect they are going to be getting access to Ten Mile. **Troy Behunin:** I would anticipate the same, ACHD has accept an Traffic Impact Study that says this is the accepted route, here's the acceptable levels of service through that intersection and right now it meets all the current standards. **C/Gealy:** So why then is there a temporary access point to Ten Mile. **Troy Behunin:** The Kuna Rural Fire District has a standard, once you reach 30 homes, you have to have a secondary access. You can serve 30 homes on one in and one out it's the same road. Once you hit 31 you need to have a secondary access point. **C/Gealy:** And that would no longer be requirement at buildout because you have the secondary access to the east? **Troy Behunin:** Yes, secondary access to the East, and there would be connection to Ardell Road. **C/Young:** I think phasing wise, this is the first phase, so they have two access points. **C/Gealy:** Thank you. **Troy Behunin:** Did that help? **C/Gealy:** Yes, Thank you. **C/Laraway:** I do have a follow up comment/question. There is bottleneck here, where is something happens at that entrance, they are not going to be able to get out, at any of them. You say there are two exits, but geographical barriers prevent them from being involved in the same, one is on the other side of a ditch and you are forcing the rest out on Ardell, and if something happens at that point, let's call it a choke point, your traffic has no place to go. **Troy Behunin:** There would be would the entrance into mineral springs in the east. **C/Laraway:** But now we are diverting traffic into another subdivision. **Troy Behunin:** ACHD makes no distinction, and Kuna Fire District does not make any distinction where it goes all they say is we need a secondary access, and it is just as secondary as anything else. Because it is a minor inconvenience, if there is a blockage, a bottleneck something of that nature where they have constriction of some nature, it is temporary. It will last a couple hours. So, it is a major inconvenience, but it still makes it possible for them to get out, there is a secondary access. **C/Laraway:** But isn't the term, if it is predictable it is preventable help, we can predict there is going to be a problem there why would we not prevent it. **Troy Behunin:** I would be interested to find out how many times in the last year we have had preventable problem in any of our subdivisions. Not saying it is not going to happen, because it can and I certainly don't want to be argumentative, but yeah, the possibility is there, but the reality is it does not happen very often, I can't think of a time it has happened in the last year and believe me when we have problems in neighborhoods, they call our department. **C/Laraway:** Well I could give you two or three, when we had the shooting over here in Kuna they had all the subdivisions shut down for hours, so it does happen. **Troy Behunin:** But, it didn't matter how many entrances they would have had. They could have had 12, they were all still stuck. **C/Laraway:** Okay, Thank you. **C/Gealy:** I have another question if we are finished with that topic. Did I hear you say that this subdivision is surrounded by the City of Kuna? **Troy Behunin:** It is, it has its touches on all four sides. **C/Gealy:** is that section of Ten Mile in the Kuna City Limits? **Troy Behunin:** yes. The only thing that touches this property is not a 100 percent City touch would be a small

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portion on Ten Mile and a small portion on Ardell, other than that, there is a small portion on Ardell that touches this property, consequently there is also a small portion across on Ten Mile that touches this property. That is on the very first map on page one of the staff report. If it is white, it is county, if it is grey it is in the City.

C/Gealy: The question I have is why is the speed limit there 45 miles an hour and who decides that the speed limit is 45 miles an hour. **Troy Behunin:** Ada County Highway District. **C/Gealy:** Even within the City limits, they decide the speed limit? **Troy Behunin:** They are not our streets. **C/Gealy:** They are the Ada County Highway District's streets, but it is posted when you enter Kuna that all of the speed limits in Kuna are 25 miles an hour unless otherwise posted. **Troy Behunin:** Yup and it says that everywhere. **C/Gealy:** In every city, so what would be required to change that 45 mile an hour speed limit. **Troy Behunin:** Volume on Ten Mile, it would have to be warranted, and ACHD would be the ones to carry out that study to see what it would be reduced to. 45 miles an hour to some does seem like an excessive speed limit, on an arterial road, I can ensure you that 45 MPH is not excessive. Ten Mile Road is an arterial road, it will get wider. **C/Gealy:** And in terms of pedestrian traffic, trying to get across the road will just get worse. **Troy Behunin:** I guess with anything, as developments like this continue come up and down the Ten Mile Corridor, they are actually improving the pedestrian experience by providing sidewalk. But, right now if left undeveloped, there is no sidewalk, it is just the ditch. If somebody is crossing the road where there is no crosswalk, I struggle to find that any is at fault besides the one person that is crossing at an unmarked crossing. So, with this development and others that will follow, because there is an application to the north, they will also provide sidewalk and so it improves the safety at least on the east side of Ten Mile Road. When the roundabout goes in at Ardell and Ten Mile, it will improve the Pedestrian network even more. **C/Gealy:** Thank you. **C/Young:** Well that continues our discussion, as an R-6 I think it fits with the surrounding developments and always there is the traffic, but it sounds like the roundabout going in will help the pedestrian and the sidewalks. But, as the subdivision goes and the preliminary plat goes I think it fits in the area and particularly the lots in the north east in that smaller corner that about R-4 zoning, the larger lots being there I think helps create a good transition between the two subdivisions.

C/Laraway: And as Troy was saying that ACHD has come to an understanding about flowing traffic on to Ten Mile, Ardell is the obvious choice, I guess design wise we can't fault that. That is the only logical place to put the entrances and exits. **C/Gealy:** I agree, I think it fits well, I appreciate the open space and the pathways that are included, I don't think the subdivision is responsible for pedestrian traffic crossing Ten Mile, but I do think that is something that is going to have to be talked about, and perhaps with the roundabout is the time, and I do appreciate the subdivision putting in at least the sidewalk on the east side of Ten Mile. It also makes sense to remove condition 13 which requires curb gutter, until such time that the roundabout and the improvements to Ten Mile we are made. It doesn't make sense to put Curb and Gutter in now. So, I would suggest we remove condition 13. **C/Laraway:** question for staff, if we can do, or do we have knowledge of if the school district, when we put in a subdivision, how much it is bused and how much of it is pedestrian. Do they ever talk to you about that? **Troy Behunin:** Commissioner Laraway, the simple answer is applicant are instructed to have conversations with the school district, unfortunately the school district makes it a practice to not really comment on subdivisions with bus stops and busing until it is in place. **C/Laraway:** So, you as staff when we get these subdivision proposals, given crimson elementary is less than a half a mile, we all know the kids are going to walk and being that the junior high is probably the same distance to the south, there is no clue what the kids are doing? **Troy Behunin:** All I can tell you is they get an agency notification, they get the packet that you get, but no. **C/Laraway:** I appreciate that, thank you. **C/Young:** Okay, any other thoughts? Okay

Commissioner Gealy motions to recommend approval to City Council for Case No. 17-02-AN (Annexation, 17-06-S (Subdivision) for the Cazador residential subdivision with the conditions as outlined in the staff report, with

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the removal of condition #13 regarding curb and gutter; Commissioner Damron Seconds, all aye and motion carried 4-0.

C/Young: Okay per our discussion, that brings up our next item which is the DR, **17-16-DR** (Design Review) for the Cazador Subdivision, and anything thoughts on the landscaping? **C/Gealy:** Does the applicant or staff have anything to add on the design review? Other than what has already been said? **Troy Behunin:** If the commission has something they have questions on or if there is something else they would like to add this would be the time. **C/Young:** Are there any questions for the applicant at this time for the DR piece, as far as any of the landscaping, the entry ways, the pathways or anything. **C/Damron:** I do have one for the landscaping. **C/Young:** Okay could the applicant please come forward. Since this is the DR portion please state your name and address for the record. **Kevin McCarthy:** My address is 9233 W State St, Boise. **C/Damron:** I am looking at the design you have out, it appears the trees we have on this is splitting each parcel, half tree on one parcel, half tree on the other parcel, are those just a phase line, like this where we think we are going to put it, is each owner going to have a tree, or is it going to split the property line. **Kevin McCarthy:** So, when we placed these, per the rules, as the spacing shows here, the location is just so we are not in the way of a possible future driveway. The time of when they will be planted though will be following construction. **C/Damron:** Okay, it looks like we have one tree per front yard. **Kevin McCarthy:** Yeah on each property, and that is fairly typical so avoid future driveways. **C/Damron:** What vegetation are the allowing you to put on the creek access, are you putting anything on that grass or anything? **Kevin McCarthy:** We still need to negotiate that with the irrigation district, but we are showing grasses now, but they will have an access road through there so we are showing grass for simplicity even though there will be an access point through there. **C/Damron:** Okay. **Kevin McCarthy:** Typically, the irrigation district does not want trees and shrubs. **C/Damron:** Okay, that is all I had. **C/Gealy:** I have no further questions. **C/Young:** Okay, I think that with the open spaces and the ability to link the bike paths to other subdivisions, I think it stays in line with what we have been doing in terms of connectivity with others. Any other thoughts. **C/Gealy:** I have nothing. **C/Young:** Okay, then I could stand for a motion.

Commissioner Damron motions to approve 17-16-DR (Design Review) for Cazador residential subdivision with the conditions as outlined in the staff report, with the removal of condition #13 regarding curb and gutter; Commissioner Gealy Seconds, all aye and motion carried 4-0.

3. COMMISSION DISCUSSION AND REPORTS

4. ADJOURNMENT

Commissioner Gealy motions to adjourn; Commissioner Damron Seconds, all aye and motion carried 4-0.

**CITY OF KUNA
PLANNING & ZONING COMMISSION**

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Tuesday, August 22, 2017**

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

Wendy I. Howell, Planning and Zoning Director
Kuna Planning and Zoning Department

A. Process and Noticing:

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states that annexations and subdivisions are designated as public hearings, with the Commission as the recommending body, and City Council as the decision making body, and that design review applications are designated as public meetings with Commission as the decision making body. These land use applications were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65 Local Planning Act.

a. Notifications

- | | |
|----------------------------------|--------------------------------------|
| i. Neighborhood Meeting | May 17, 2017 (8 persons attended) |
| ii. Agency Comment Request | June 26, 2017 |
| iii. 315' Property Owners Notice | July 5, 2017 (sent) |
| iv. Kuna, Melba Newspaper | July 5, 2017 |
| v. Site Posted | July 7, 2017 (Tabled) AND 8.10.2017. |

B. Applicant's Request:

On behalf of N Star Farm, LLC (Owner), Kirsti Grabo with KM Engineering, LLP, is requesting approval for Annexation of approximately 40.20 acres into Kuna City with an R-6 (Medium Density Residential) zone, and a subdivision preliminary plat for 164 buildable lots and 18 common lots and one shared driveway, yielding a proposed density of 4.08 Dwelling Units an Acre (D.U.A.). The subject site is located on the south east corner (SEC) of Ten Mile and Ardell Roads. The property address is 2332 N. Ten Mile Road – Parcel No.; S1314325410.

C. Aerial Map:



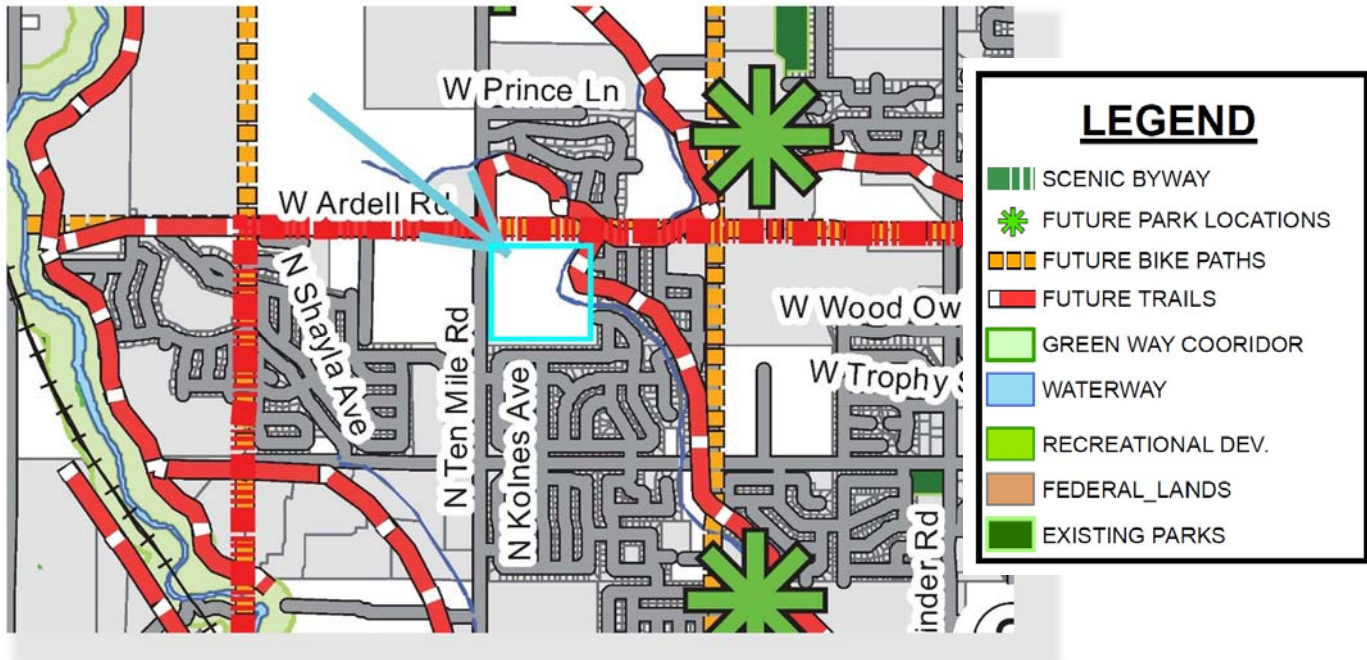
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D. Site History:

This site is undeveloped and has historically been used for agricultural purposes. The site is adjacent to three Kuna subdivisions and one County Subdivision. This application proposes a total of two phases.

E. General Projects Facts:

1. **Comprehensive Plan Map:** The Future Land Use Map (Comp Plan Map) is intended to serve as a *guide* for the decision making body for the City. This map indicates general land use designations, and is not the actual zone. The Comp Plan Map identifies this entire site as Medium Density Residential. The range for Medium Density is 4 - 8 D.U.A..
2. **Recreation and Pathways Map:** The Recreation and Pathways Master Plan Map indicates a future trail along the southwest boundary of the site, situated along the Mason Creek Feeder. Applicant proposes a significant number of trails throughout the project including one along the Mason Creek.



3. Surrounding Land Uses:

North	RR, R-4	Rural Residential, Ada County – Medium Density Residential, Kuna City
South	R-6	Medium Density Residential - Kuna City
East	R-6	Medium Density Residential - Kuna City
West	RUT, C-1	Rural Urban Transition, Ada County & Neighborhood Commercial, Kuna City

4. Parcel Sizes, Current Zoning, Parcel Number(s):

- Project Size: 40.20 acres (approximately)
- Zoning: RUT; Rural Urban Transition – Ada County
- Parcel #: S1314325410

5. Services:

Sanitary Sewer– City of Kuna
 Potable Water – City of Kuna
 Irrigation District – Boise-Kuna Irrigation District
 Pressurized Irrigation – City of Kuna (KMID)
 Fire Protection – Kuna Rural Fire District
 Police Protection – Kuna Police (Ada County Sheriff's office)
 Sanitation Services – J & M Sanitation

6. **Existing Structures, Vegetation and Natural Features:**

The land is currently used for agricultural purposes. Applicant anticipates the land will continue the historic Agricultural uses until the land develops completely. This site soils in the area are a mix of three Hydrologic Groups; C and D – Group D is the dominant Group.

7. **Transportation / Connectivity:**

The applicant proposes extending two stub streets from adjacent subdivisions, two access points onto future Ardell Road and one temporary access on Ten Mile Road. Applicant proposes a temporary access onto Ten Mile Road to comply with Kuna Rural Fire District and EMS needs. When the section of Ardell Road along the north side of the site is complete, the temporary access will be abandoned and turned into a buildable lot (home lot). There are no permanent accesses proposed on Ten Mile Road.

8. **Environmental Issues:**

Beyond being within the Nitrate Priority Area, staff is not aware of any environmental, health or safety conflicts.

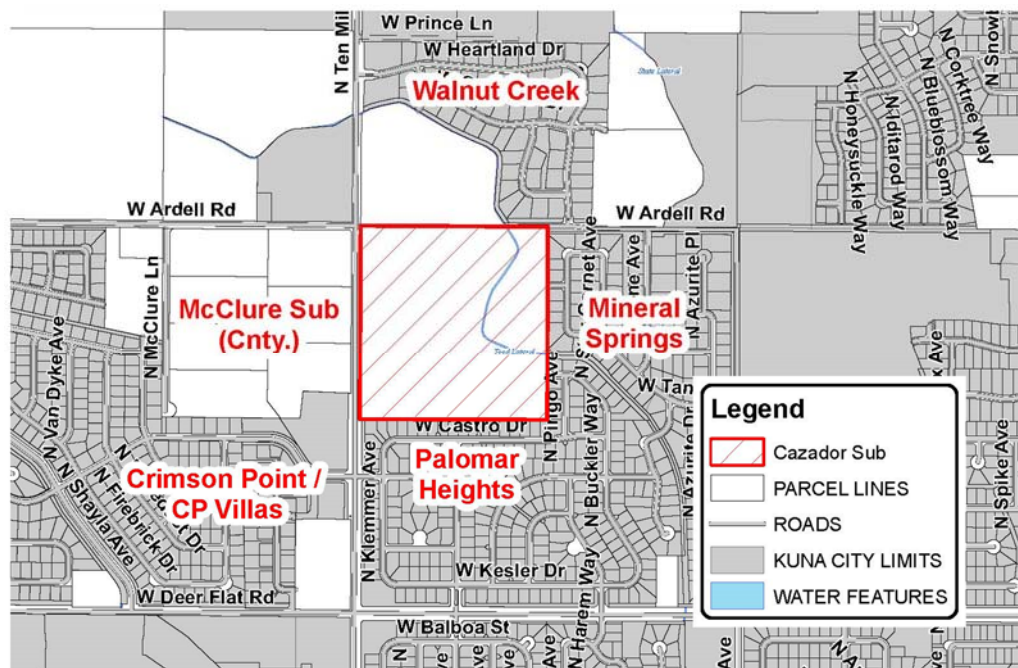
9. **Agency Responses:**

The following agencies returned comments which are included with this case file and are included with this report:

- City Engineer (Antonio Conti, P.E.) Exhibit B 1
- Ada County Highway District (Mindy Wallace) Exhibit B 2
- Boise Project Board of Control (Bob Carter) Exhibit B 3
- Central Dist. Health Dept. (Lori Badigian), Exhibit B 4
- COMPASS Idaho (Carl Miller) Exhibit B 5
- Department of Environmental Quality (Aaron Scheff) Exhibit B 6.

F. **Staff Analysis:**

This parcel touches City limits on all four sides and is eligible for annexation into the City. This parcel is designated on the Kuna Comprehensive Plan Map (Comp Plan Map) as Medium Density Residential (four units to eight units per acre), and is adjacent to multiple City Subdivisions and a County Subdivision. This



project abuts Ten Mile Road, an arterial, and will contribute to a new segment of Ardell Road. All public utilities will be extended to this site. Applicant proposes a new single-family housing development (Density at 4.08 D.U.A.) to be built over an anticipated 3 phases. It is anticipated full build-out will be achieved in approximately 3 years. The applicant is prepared to adjust their timeline with market demands.

Applicant seeks annexation of approximately 40.20 acres into the City of Kuna. The proposed site touches City limits, therefore, with a proper application from the applicant, the criteria for annexation request in to the City has been met. Applicant seeks an R-6 (Medium Density Residential) zone for the site, which is squarely within the Medium Density range.

Staff has reviewed the preliminary plat for technical compliance with KCC Chapter 6, and has determined that it appears to conform to KCC as required. Applicant proposes one shared driveway in the subdivision. This shared driveway will serve four homes, with a dual purpose by providing access to the Teed Lateral for all residents. As this shared driveway serves multiple uses and audiences, the care and maintenance of the shared drive will be borne by the HOA. As this serves a dual purpose, and the HOA will be permanently responsible for its care and maintenance, staff has no concerns with this proposed shared drive/pathway access. The applicant proposes a temporary (temp) access onto Ten Mile Road and is proposed only to satisfy the secondary emergency access requirements. When Ardell Road is complete and there is no longer a need for it, the temp access will be abandoned and the land used for the temp access will become a buildable home lot. Applicant has not proposed curb and gutter along Ten Mile Road, a classified roadway. Staff will notes to the Commission and Council that Code does not allow for drainage swales along classified roads. Applicant is required to follow all established design criteria listed with Kuna's Subdivision Design Ordinance, unless specifically otherwise approved.

Applicant has proposed approximately 4.64 acres (11.50 ac.) of open space. A portion of the open space is planned as a pathway along the Teed lateral. This adds to the master pathway network in Kuna. Due to regulations from the irrigation district, trees and shrubs are not proposed along the Teed Lateral, however, there are multiple points of access for the homeowners on both sides of the Teed. Staff has reviewed the proposed landscape plan and illustrative, and finds it complies with KCC 5-17 (Landscape Code), including the planting requirements listed in the planting details.

Staff has reviewed Kuna's Comprehensive Plan (Comp Plan), which encourages a variety of housing types and income levels numerous times throughout the Comp Plan. The sections of the Comp Plan that address housing types are included below, in Section K (Comp Plan Analysis) of this report. The City attempts to balance all housing types within the City. The Cazador site is proposed to be zoned R-6 (Medium Density Residential) and the applicants request for 4.08 D.U.A., is under the density limit of six (6) homes per acre.

Staff has determined this application complies with its current zone and Title 5 and 6 of the Kuna City Code; Idaho Statute § 67-6511; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case No. 17-16-DR subject to any conditions as outlined by the Commission, and a recommendation of approval for Case No's 17-02-AN and 17-06-S subject to any conditions of approval outlined by Council.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance Title 5, Chapter 13
2. City of Kuna Comprehensive Plan, adopted September 1, 2009
3. City of Kuna Design Review Code Title 5, Chapter 4
4. City of Kuna Landscape Code Title 5, Chapter 17.
5. Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act.

H. Procedural Background:

On August 22, 2017, the Commission considered case numbers 17-02-AN, 17-06-S and 17-16-DR, including the application, agency comments, staff's report, application exhibits and public testimony presented or given.

I. Factual Summary:

This site is located on the east side of Ten Mile Road and south of future Ardell Road. The project consists of 40.20 (approx.) acres that touch Kuna City limits and is currently zoned RUT (Rural Urban Transition) in Ada County, and designated as Medium Density Residential on Kuna's Comp Plan. Applicant requests preliminary plat approval for a new subdivision consisting of 164 buildable lots, and 18 common lots and one shared driveway with a total of 3 development phases, with 11.5% open space. If approved, this project will take access from temporarily from Ten Mile Road, and Ardell in two places at build out. The temporary access on Ten Mile Road is for emergency services requirements and will be abandoned when Ardell Road is complete, and will become a buildable home lot.

J. Commission Findings:

Based upon the record in **17-02-AN, 17-06-S and 17-06-DR**, including the Comprehensive Plan, Kuna City Code, Staff's report, including the exhibits, and the testimony elicited during the public hearing, the Commission hereby recommends *approval* for Case No's 17-02-AN and 17-06-S, a request for annexation, a subdivision preliminary plat to Council, and hereby approves 17-06-DR, a Subdivision Design Review request by the applicant as follows:

The Commission concludes that the application complies with the City of Kuna's Zoning regulations (Title 5) of KCC and/or the Subdivision regulations outlined in title 6 of KCC.

1. In making a decision regarding the Subdivision application, the Council is to consider Idaho Code §67-6535 (2), which states the following:

The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record.

In addition, Idaho Code §67-6535(2)(a), provides that:

Failure to identify the nature of compliance or noncompliance with express approval standards or failure to explain compliance or noncompliance with relevant decision criteria shall be grounds for invalidation of an approved permit or site-specific authorization, or denial of same, on appeal.

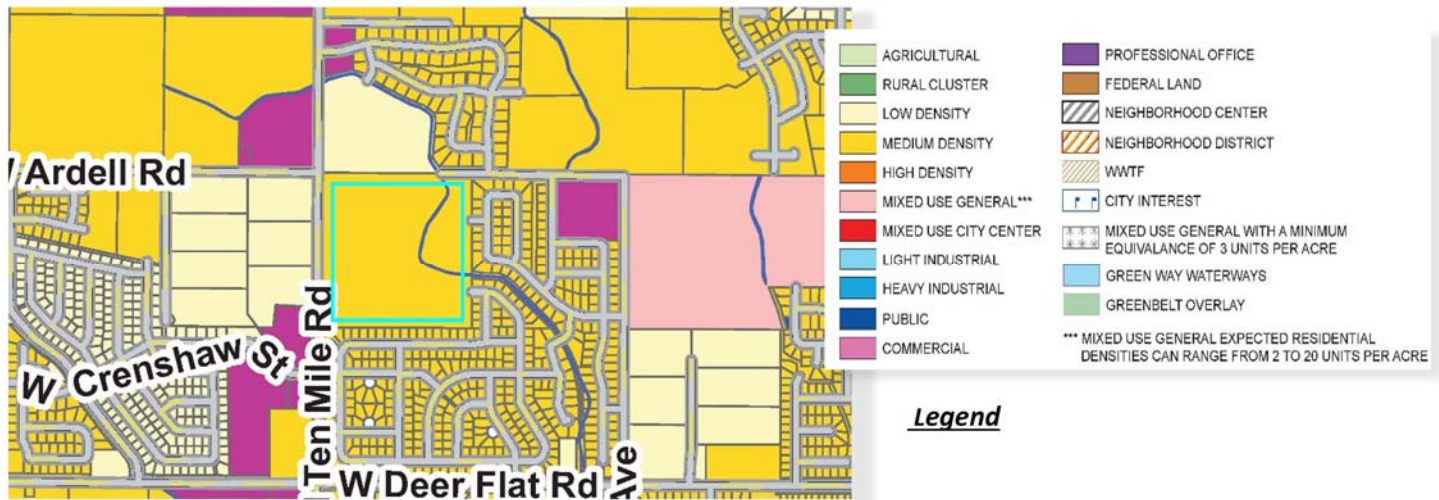
2. The Commission has the authority to recommend approval or denial for Case No's 17-02-AN, 17-06-S. On August 22, 2017, Kuna's Commission voted to recommend approval for Case No's 17-02-AN, 17-06-S.
3. The Commission has the authority to approve or deny Case No. 17-16-DR. On August 22, 2017, the Commission voted to *approve* Case No. 17-16-DR.
4. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances to hold a public hearing on August 22, 2017, with the Commission.

K. Comprehensive Plan Analysis:

Commission determines the proposed subdivision for the *site is/is not* consistent with the following Comp Plan components:

Housing: Residents envisioned higher densities in the City's core to include opportunities for mixed residential and light commercial activity. They expressed interest in a mix of residential type dwellings applications; including single- family, *multi-family*, apartments and condominiums. They were receptive to a greater mix of lot sizes and house price to appeal to a variety of people. A goal expressed by many was the preservation of large lots and rural cluster development in appropriate balance with a complement of other types of residential development (Page 21 [CP]).

Comment: The Comp Plan and the corresponding Future Land Use Map (with land use designations) provides for medium density (R-6). This project proposes a density less than six units per acre, therefore it conforms to the Comp Plan and the Future Land Use Map.



Private Property Rights Goals and Objectives - Section 2 – Summary:

Ensure the City land use policies, restrictions, conditions and fees do not violate private property rights and ensure that land use actions, decisions, and regulations do not effectively eliminate all economic value of the subject property. Ensure that City land use actions, decisions, and regulations do not prevent a private property owner from taking advantage of a fundamental property right and staff shall evaluate with guidance from the City's attorney; the Idaho Attorney General's six criterion established to determine the potential for property taking.

Comment: Utilizing the Idaho Attorney General's criteria, and a review by the City Attorney, the proposed project does not constitute a "takings" and the Economic value is intact.

Economic Development Goals and Objectives - Section 5 - Summary:

Ensure an adequate supply of housing for all income levels and facilitate pedestrian connections, both visually and physically, to enhance pedestrian movement (Pg. 42 – 1.5 and Pg. 43 – 3.1 [CP]).

Comment: The Comp Plan encourages adequate housing for all income levels and calls for increasing pedestrian connections. This project supplies a number of additional housing types to Kuna's inventory and provides opportunities for quality housing. This development enhances the City's pedestrian network for non-motorized transportation, by extending connections provided by other developers while adding additional segments of pathway along the Teed Lateral.

Land Use Goals and Objectives - Section 6 - Summary:

Adopt a future land use plan and map that includes natural and developed open spaces, while providing a variety of housing densities and types to accommodate various lifestyles, ages and economic groups. Protect existing neighborhoods and ensure new development is sustainable and keeps Kuna desirable. Develop cohesive neighborhoods with character and quality while incorporating a variety of densities and styles (Pg. 64 – 3.1 & Goal 3 and Pg. 65 – 4.3 [CP]).

Comment: This project adds a number of quality housing varieties to the City's inventory for all types of lifestyles, ages and economic groups. This project also proposes 11.5% open space which adds to the greenspaces in Kuna, keeping it a desirable City while enhancing the City's overall pathway network.

Housing Goals and Objectives - Section 12 - Summary:

Encourage developers to provide high-quality development with a variety of lot sizes, dwelling types, densities and price points to meet the needs of current and future population while creating safe and aesthetically-pleasing neighborhoods. Ensure housing is available throughout the community for all income levels and those with special needs. Encourage logical and orderly residential development while discouraging developers from developing land divisions greater than one half acre because large lot subdivisions increase municipal costs, require public subsidy and create sprawl (Pg. 155 – Obj. 1.1, Pg. 163 12.4 and Pg. 165 – 2.1 [CP]).

Comment: Applicant proposes a high-quality development with a variety of dwelling types, densities, and price points for all income levels in this part of Kuna as encouraged by the Comp Plan. This project adds to the City's overall network of utilities, sidewalks and roadways, therefore it complies with logical, orderly development and discourages land divisions and development greater than one half acre, and avoids increased municipal services costs and sprawl.

Community Design Goals and Objectives - Section 13 - Summary:

Strengthen Kuna's Image through good community and urban design principles that create self-sufficient neighborhoods. Foster good community design concepts that incorporate landscape features to serve as buffers between incompatible uses while reducing scale and creates a sense of place (Pg.167 – Goal 1 and Pg. 168 – 1.2[CP]).

Comment: Applicant proposes good community and urban design principles through creation of greenspaces, extension of the pedestrian pathway network and adding to the City's sidewalk network. Applicant also proposes adding **1.5 miles of centerline** to the roadway system thereby complying with the adopted Master Street Plan of Kuna (Functional Classified Road Map). This development also incorporates landscape buffers, and creates green places for citizens. Therefore, this project fosters sound community design concepts and complies with the Comp Plan goals and strengthens Kuna's image. Applicant has proposed a positive affect by establishing a roadway and pathway network for adjoining property owners and future development, and by designing under the allowed densities of the R-6 zone (3.31 Gross Density).

Neighborhoods:

Kuna's updated Plan is an advocate for the development of self-sufficient neighborhoods. These neighborhoods are intended to be connected by transit and other non-motorized methods of transportation. Each neighborhood will have a center, a core and an edge (Page 179 [CP]).

Comment: Applicant proposes an extension of the sidewalk and roadway system which complies with the Master Street Plan adopted by Kuna. Applicant also proposes establishing pathways and sidewalks for pedestrian and non-motorized transportation. Applicant proposes R-6 housing densities thereby complying with Medium Density land use designation outlined within the Comp Plan and Comp Plan Map.

L. Idaho State Code Analysis:

1. **IC §67-6511 (2) C** requires that the Council analyze the proposed changes to zoning ordinances to ensure that they are not in conflict with the policies of the adopted comprehensive plan. If the request is found by the governing board to be in conflict with the adopted plan, **or** would result in demonstrable adverse impacts upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction.
2. **IC §67-6513** provides that the City provide for mitigation of the effects of subdivision development on the ability of political subdivisions of the state, including school districts, to deliver services without compromising quality of service delivery to current residents or imposing substantial additional costs upon current residents to accommodate the proposed subdivision.

3. Through discussions and comments submitted by public service providers, the project would not create demonstrable adverse impact to quality of emergency service and/or delivery of said services, or impose substantial additional costs to current residents.

M. Commission Conclusions:

The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.

1. The Commission feels the site *is* physically suitable for subdivision and development into a single-family subdivision, as proposed.

Comment: *The 40.20 acre (approximate) project does/does not appear to be suitable for subdivision and development as single-family subdivision, as proposed.*

2. The subdivision uses are not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

Comment: *The land to be subdivided is not used as wildlife habitat. Roads, driveways, family units and open spaces are planned for construction according the City and ACHD requirements and best practices and will therefore not cause environmental damage or loss of habitat.*

3. The annexation and subdivision applications are not likely to cause adverse public health problems.

Comment: *The annexation and subdivision of the property would comply with the Comp Plan. The project would connect to public sewer and potable water systems, therefore eliminating the occurrence of adverse public health problems.*

4. The application appears to avoid detriment to the present and potential surrounding uses; to the health, safety, and general welfare of the public taking into account the physical features of the site, public facilities and existing adjacent uses.

Comment: *Through correspondence with public service providers and application evaluation, this project appears to avoid detriment to surrounding uses. Commission did consider the subdivision and the location of the property with adjacent uses.*

5. The existing and proposed street and utility services in proximity to the site are suitable or adequate for residential purposes.

Comment: *Correspondence from ACHD and Kuna Public Works confirms that the streets and utility services are suitable and adequate for the residential project.*

6. Based on the evidence contained in Case No's 17-02-AN, 17-06-S and 17-16-DR, the Commission finds the listed Case No's adequately comply with Kuna City Code.

7. Based on the evidence contained in Case No's 17-02-AN, 17-06-S and 17-16-DR, the Commission finds the listed Case No's adequately comply with Kuna's Subdivision Code.

N. Commissions' Recommendation to Council:

On August 22, 2017, the Planning and Zoning Commission voted to approve Case No. 17-17-DR, based on the facts outlined in staff's memo with the following conditions listed below:

On August 22, 2017, the Planning and Zoning Commission voted to recommend approval for Case No's 17-02-AN and 17-06-S, based on the facts outlined in staff's memo and the public testimony during the public hearing by the Planning and Zoning Commission of Kuna, Idaho. The Commission hereby recommends approval for Case No. 17-02-AN and 17-06-S, an Annexation and Preliminary Plat and subdivision request from Kirsti Grabo (KM Engineering, LLP) and N Star Farm, LLC, with the following conditions of approval to Council:

1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
 - a. The City Engineer shall approve the sewer connections.
 - b. The City Engineer shall approve the drainage and grading plans. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties". No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
 - c. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District is required.
 - d. The *Boise-Kuna* Irrigation District shall approval any modifications to the existing irrigation system.
 - e. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).
2. All public rights-of-way shall be dedicated and constructed to standards of the City, Ada County Highway District and Idaho Transportation Department. No public street construction may commence without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.
 - 2.1– ***With development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths.***
3. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see **KCC 6-4-2-W**.
4. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
5. When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMID).
6. Street lights within the site shall be LED lighting and must comply with Kuna City Code and established Dark Skies practices.
7. Parking within the site shall comply with Kuna City Code. (Unless specifically approved otherwise).
8. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted). Perimeter fencing (and permit) is required prior to requesting final plat signatures from Kuna City Clerk and Engineer.
9. All signage within/for the project shall comply with Kuna City Code.
10. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
11. Staff recommends that the applicant work with Kuna Rural Fire District (KRFD) to conform to the secondary access limits of the KRFD, for the number of homes utilizing access points as development occurs.
12. The land owner/applicant/developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through public hearing processes.

13. Staff recommends curb and gutter to be placed along Ten Mile and Ardell Roads as they are classified roads.
14. Applicant shall abandon the temporary access onto Ten Mile Road when the Ardell Road frontage is approved, dedicated and accepted by ACHD.
15. The HOA is to own, care for, maintain and keep full responsibility for the shared driveway as proposed on the preliminary plat dated 06.14.2017 – designated as lot 34, block 6.
16. Applicant is required to follow all established design criteria listed with Kuna's Subdivision Design Ordinance, unless specifically otherwise approved.
17. Applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
18. Developer/owner/applicant shall comply with all local, state and federal laws.

DATED: This 12th, day of September, 2017.

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST: _____
Troy Behunin, Planner III,
Kuna Planning and Zoning Department

Jace Hellman

From: John BrownIng <firstservicegroup@gmail.com>
Sent: Wednesday, September 6, 2017 3:34 PM
To: Jace Hellman
Subject: Re: Annexation hearing 9.12.17

Jace,
I have reviewed our project and see that a R-6 will work fine . So yes a R-6 is ok.
Thanks,
John

Sent from my iPhone

On Sep 6, 2017, at 3:28 PM, Jace Hellman <jhellman@kunaID.gov> wrote:

Hello John,

I just received a phone call from Richard Green about your property that is currently going through the annexation process. He was wondering if his plans for future development would be allowed in an R-6 zone. I am just trying to get myself caught up to speed, and prepare for next week's hearing and I am wondering if you still plan on proposing to have this property annexed with an R-8 zoning designation, Or was there a change of heart, and would like to move forward with an R-6 zone? Let us know.

If you have any questions, please do not hesitate to ask.

Thank you John,

Jace Hellman
Planner I
City of Kuna
751 W 4th Street
Kuna, ID 83634
jhellman@kunaID.gov

<image003.png>

CONFIDENTIALITY NOTICE

This e-mail and any attachments may contain confidential or privileged information. If you are not the intended recipient, you are not authorized to use or distribute any information included in this e-mail or its attachments. If you receive this e-mail in error, please delete it from your system and contact the sender.



City of Kuna

Staff Report – Planning and Zoning Commission

P.O. Box 13
Phone: (208) 922-5274
Fax: (208) 922-5989
Kunacity.id.gov

To: Planning and Zoning Commission

Case Number(s): 17-04-AN (Annexation)
Location: 882 E Hubbard Rd.
Kuna, ID 83634

Planner: Jace Hellman, Planner I

Hearing Date: August 22, 2017
Tabled To: September 12, 2017

Owner/applicant: John Browning
880 East Hubbard Road
Kuna, ID 83634
firstservicegroup@gmail.com

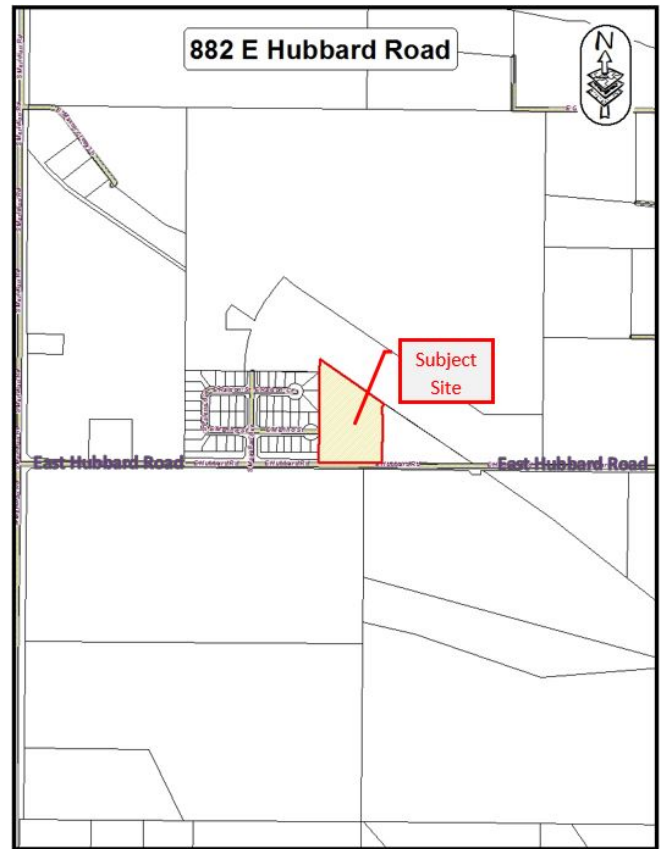


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- A. Course Proceedings
- B. Applicant Request
- C. Zoning and Property Range Maps
- D. History
- E. General Project Facts
- F. Staff Analysis
- G. Applicable Standards
- H. Proposed Comprehensive Plan Analysis
- I. Proposed Findings of Fact
- J. Proposed Conclusions of Law
- K. Proposed Decision by the Commission

A. Course of Proceedings

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states annexation is designated as a public hearing with the Planning and Zoning Commission as the recommending body and City Council as the decision-making body. This land use was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Land Use Planning Act (LLUPA).

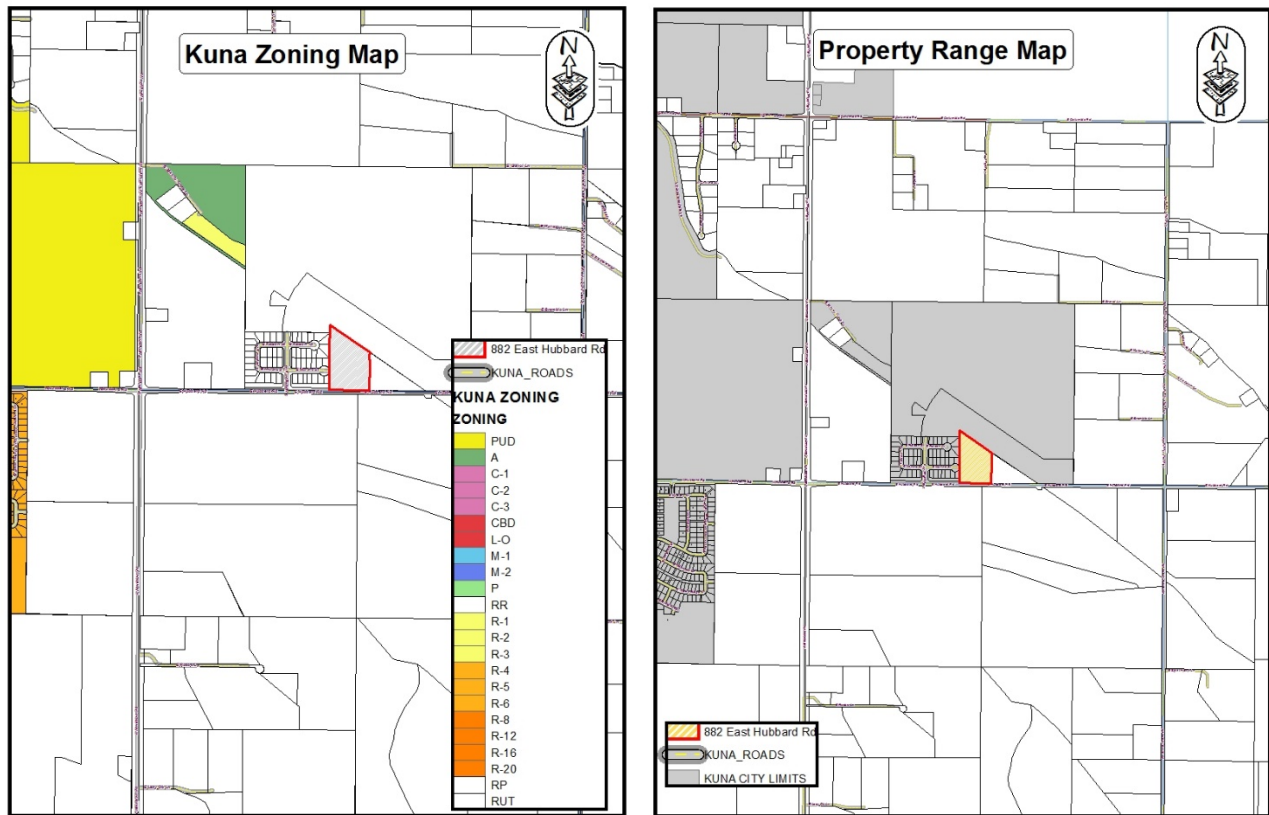
a. Notifications

- | | |
|---------------------------|-----------------|
| i. Neighborhood Meeting | May 10, 2017 |
| ii. Agencies Notified | July 24, 2017 |
| iii. 300' Property Owners | August 2, 2017 |
| iv. Kuna, Melba Newspaper | August 2, 2017 |
| v. Site Posted | August 11, 2017 |

B. Applicant Request:

1. The applicant requests approval to annex approximately 6.82 acres located at 882 East Hubbard Road, Kuna, Idaho with an R-8 residential zoning designation.

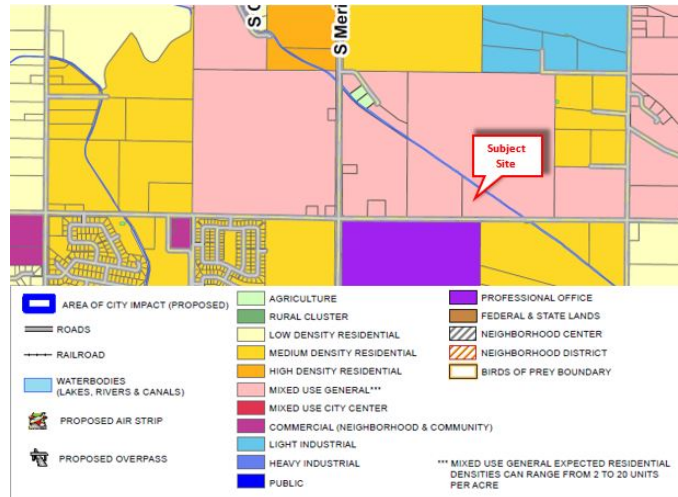
C. Zoning and Property Range Maps:



D. History: The parcel is contiguous to city limits along the northern and western boundaries, and is currently zoned RR (Rural-Residential) within Ada County's jurisdiction.

E. General Projects Facts:

Comprehensive Plan Designation: The Future Land Use Map identifies this site as 'Mixed Use General'. Staff agrees that Mixed Use General's expected residential densities can range from 2 to 20 units per acre. Staff views this annexation request to be consistent with the approved Future Land Use Map.



1. **Surrounding Land Uses:**

North	R-6	Medium Density Residential – City of Kuna
South	RR	Rural Residential – Ada County
East	RR	Rural Residential – Ada County
West	R-6	Medium Density Residential – City of Kuna

2. **Parcel Sizes, Current Zoning, Parcel Numbers:**

- Approx. 6.82 +/- total acres
- Zone: RR, Rural Residential (Ada County)
- Parcel # S1407347180

3. **Services:**

Sanitary Sewer – Private Septic (Future City of Kuna)
 Potable Water – Private Domestic Well (future City of Kuna)
 Irrigation District –Boise-Kuna
 Future Pressurized Irrigation – City of Kuna (KMID)
 Fire Protection – Kuna Fire District
 Police Protection –Kuna City Police (Ada County Sheriff’s office)
 Sanitation Services – J&M Sanitation

4. **Existing Structures, Vegetation and Natural Features:** The subject site currently contains no existing buildings. The United States’ Mason Creek Feeder lies within the boundaries of the subject site. The site is currently used as pasture land. The site’s topography is generally flat with a potential 0-2% slope in areas.

5. **Transportation / Connectivity:** The parcel does not have curb, gutter or sidewalks. The site is accessed from East Hubbard Road.

6. **Environmental Issues:** The subject site lies within the designated ‘Nitrate Priority Area’ (NPA) for groundwater monitoring. Beyond the NPA, staff is not aware of any additional environmental issues, health or safety conflicts.

7. **Agency Responses:** The following agencies returned comments which are included as exhibits with this case file:

- Public Works – Exhibit C3
- Boise Project Board of Control – Exhibit B1
- Nampa & Meridian Irrigation District – Exhibit B2
- Compass – Exhibit B3
- Idaho Transportation Department – Exhibit B4
- Central District Health Department – Exhibit B5

F. Staff Analysis:

The subject site is directly east of the Patagonia Subdivision off East Hubbard Road. The applicant requests to annex the 6.82-acre parcel into Kuna City limits with an R-8 (Medium Density) zoning designation. Future development of the site or any portions thereof shall be in accordance with the provisions set forth in Kuna City Code (KCC). This includes the possibility that the applicant may sell the subject property to another party, who may intend to develop the site consistent with adjacent developments. Potable water and sanitary sewer are within 300-feet of the subject site. Staff has determined that the applicant should be required to connect to City services at the time of any future development. The applicants' property will need to show how they can maintain surface water rights for proper irrigation or they will be required to connect to the City's pressurized irrigation system. Public potable water is not to be used for irrigation purposes. Staff is recommending connection to the City's pressurized irrigation system at the time of any future development.

The United States' Mason Creek Feeder lies within the boundary of this parcel. The easement for this lateral is held in the name of the United States through the Bureau of Reclamation under the authority of the Act of August 30, 1890. The Boise Project Board of Control is contracted to operate and maintain this lateral. The federal easement is asserted 37 feet north and 35 feet south of the lateral's centerline, and no future activity or development shall hinder The Boise Project Board of Control's ability to operate and maintain this lateral.

Staff has determined this annexation application complies with Title 5 of the Kuna City Code; Idaho Statute §50-222; and forwards a recommendation of approval for Case # 17-04-AN, subject to the recommended conditions of approval.

G. Applicable Standards:

1. City of Kuna, Title 5 Zoning Ordinance: Annexations.
2. City of Kuna Comprehensive Plan and Future Land Use Map.
3. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act.

H. Comprehensive Plan Analysis:

The Kuna City Council accepts the Comprehensive Plan components as described below.

1. The proposed applications for this site are consistent with the following Comprehensive Plan components:

GOALS AND POLICY – *Property Rights*

Goal 1: Ensure that the City of Kuna land use policies, restrictions, conditions and fees do not violate private property rights. Establish an orderly, consistent review process for the City of Kuna to evaluate whether proposed actions may result in private property “takings”.

Policy 1: As part of a land use action review, staff shall evaluate with guidance from the City’s attorney; The Idaho Attorney General’s six criterion established to determine the potential for property taking.

GOALS AND POLICY – Land Use

Goal 2: Encourage a balance of land uses to ensure that Kuna remains a desirable, stable, and self-sufficient community.

I. Proposed Findings of Fact:

1. This request appears to be in compliance with all ordinances and laws of the City, including Kuna City Code (KCC).
2. The site is physically suitable for annexation.
3. The annexation is not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.
4. The annexation is not likely to cause adverse public health problems.
5. The application appears to avoid detriment to the present and potential surrounding uses; to the health, safety, and general welfare of the public taking into account the physical features of the site, public facilities and existing adjacent uses.
6. The existing street and utility services in proximity to the site appear to be adequate for the current use; however, any future site improvements as determined by the City Engineer and the Planning and Zoning Director, shall comply with the provisions set forth in Kuna City Code (KCC).
7. The Commission accepts the facts as outlined in the staff report, any public testimony and the supporting evidence as presented.
8. Based on the evidence contained in Case No. 17-04-AN, this proposal complies with the Comprehensive Plan and the Kuna Comprehensive Future Land Use Map.
9. The Planning and Zoning Commission has the authority to recommend approval, conditional approval or denial for the annexation application.

J. Proposed Conclusions of Law:

1. Based on the evidence contained in Case No 17-04-AN, the Kuna Planning & Zoning Commission finds Case No. 17-04-AN *complies/does not comply* with Kuna City Code.
2. Based on the evidence contained in Case No 17-04-AN, the Kuna Planning & Zoning Commission finds Case No. 17-04-AN *is/is not* consistent with Kuna’s Comprehensive Plan.
3. The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho State Code and Kuna City Ordinances.

K. Proposed Decision by the Planning & Zoning Commission:

Note: This motion is to recommend approval/conditional approval/denial of this annexation request to the City Council. However, if the Commission wishes to approve or deny specific parts of the request as detailed in this report, they must be specified.

Based on the facts outlined in staff’s report and any public testimony at the public hearing, the Planning and Zoning Commission of Kuna, Idaho, hereby recommends *approval/conditional approval/denial* of

Case No. 17-04-AN; a request for annexation from John Browning, with the following conditions of approval:

1. All development submittals are required to include the lighting, landscaping, drainage and development plans as required by Planning and Zoning. All site improvements are prohibited prior to approval of the following agencies. The applicant/owner shall obtain written approval on letterhead or may be written/stamped on the approved construction plans from the agencies noted:
 - a. Central District Health Department (CDHD).
 - b. The City Engineer shall approve the future sewer and water, irrigation and drainage construction plans.
 - c. The Kuna Fire District shall approve all site development and building plans.
 - d. The Boise-Kuna Irrigation District shall approve any modifications to the existing irrigation system.
 - e. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to issuance of any building permits for future development.
2. All public rights-of-way shall be dedicated to the City and/or Ada County Highway District. No public street construction may be commenced without the approval and permits from Ada County Highway District. With future development and as necessary, dedicate right-of-way in sufficient amounts, to follow City and ACHD standards and widths.
3. Potable water and sanitary sewer are within 300-feet of the subject site. Applicant shall connect to City services at the time of any future development.
4. For future development, all utilities shall be installed underground, unless otherwise approved (see KCC 6-4-2-W).
5. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
6. Applicant shall not impede the Boise Project Board of Control's ability to operate and maintain the United States' Mason Creek Feeder.
7. Any site improvements shall require the property owner to comply with the provisions set forth in Kuna City Code (KCC).
8. At the time of any future development, applicant shall submit a petition to the City (as necessary and confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property to the Kuna Municipal Pressure Irrigation District (KMID).
9. Applicant shall follow Kuna staff, City Engineer and any other agency recommended requirements as applicable.
10. Applicant shall abide by all applicable federal, state and local laws and ordinances.

DATED: This _____ day of _____, 2017.

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

Jace Hellman, Planner I
Kuna Planning and Zoning Department

RECEIVED
5-16-17



City of Kuna
Planning & Zoning
Department
P.O. Box 13
Kuna, Idaho 83634
208.922.5274
Fax: 208.922.5989
Website: www.kunacity.id.gov

Annexation Checklist

Annexation requires public hearings with both the Planning & Zoning Commission and City Council. Public hearing signs will be required to be posted by the applicant for both meetings. Sign posting regulations are available online.

Project name:	Applicant:
17-04-AN (Annexation)	John Browning

All applications are required to contain one copy of the following:

Applicant (✓)	Description	Staff (✓)
X	Completed and signed Commission & Council Review Application.	X
X	Letter of Intent indicating reasons for proposed annexation and the availability of public services. If reason for annexation is development, also submit a conceptual plan.	X
X	Vicinity map drawn to scale, showing the location of the subject property. Map shall contain the following information: Shaded area showing the annexation property, Street names and names of surrounding subdivisions.	X
X	Legal description of the annexation area: Include a metes & bounds description to the section line of all adjacent roadways stamped & signed by a registered professional land surveyor with a calculated closure sheet & a map showing the boundaries of the legal description.	X
X	Recorded warranty deed for the property.	X
X	Proof of ownership—A copy of your deed <u>and</u> Affidavit of Legal Interest (All parties involved)	X
	Development Agreement & Development Agreement Checklist	
X	Neighborhood meeting certification (certification & neighborhood meeting list forms shall accompany this application).	X
X	Commitment of Property Posting form signed by the applicant/agent.	X

Note: Only one copy of the above items need to be submitted when applying for multiple applications.

This application shall not be considered complete (nor will a Public Hearing be set) until staff has received all required information. Once the application is deemed complete, staff will notify the applicant of the scheduled hearing date, fees due, additional copies needed, etc.



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5.16.17

RECEIVED
5-16-17



City of Kuna
Planning & Zoning
Department
P.O. Box 13
Kuna, Idaho 83634
208.922.5274
Fax: 208.922.5989
Website: www.kunacity.id.gov

Commission & Council Review Application

Note: Engineering fees shall be paid by the applicant if required.

*Please submit the appropriate checklist (s) with application

Type of Review (check all that apply):

- ☒ Annexation
- ☐ Appeal
- ☐ Comprehensive Plan Amendment
- ☐ Design Review
- ☐ Development Agreement
- ☐ Final Planned Unit Development
- ☐ Final Plat
- ☐ Lot Line Adjustment
- ☐ Lot Split
- ☐ Planned Unit Development
- ☐ Preliminary Plat
- ☒ Rezone
- ☐ Special Use
- ☐ Temporary Business
- ☐ Vacation
- ☐ Variance

For Office Use Only	
File Number (s)	17-04-AN
Project name	John Browning Annexation
Date Received	5-16-17
Date Accepted/ Complete	
Cross Reference Files	
Commission Hearing Date	
City Council Hearing Date	

Contact/Applicant Information

Owners of Record: <u>John Browning</u>	Phone Number: <u>208 850 4044</u>
Address: <u>880 E HUBBARD RD</u>	E-Mail: <u>firstservicegroup@gmail.com</u>
City, State, Zip: <u>KUNA, ID 83634</u>	Fax #: <u>208-343-9321</u>
Applicant (Developer): _____	Phone Number: _____
Address: _____	E-Mail: _____
City, State, Zip: _____	Fax #: _____
Engineer/Representative: _____	Phone Number: _____
Address: _____	E-Mail: _____
City, State, Zip: _____	Fax #: _____

Subject Property Information

Site Address: <u>882 E HUBBARD RD KUNA, ID 83634</u>	
Site Location (Cross Streets): <u>EAST MERIDIAN/KUNA HWY AND HUBBARD RD</u>	
Parcel Number (s): <u>S1407347180</u>	
Section, Township, Range: <u>SECTION 7 2 NORTH 1 EAST</u>	
Property size : <u>6.818</u>	
Current land use: <u>PASTURE</u>	Proposed land use: <u>Residential</u>
Current zoning district: <u>RR</u>	Proposed zoning district: <u>R-8</u>



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5.16.17

Project Description

Project / subdivision name: _____
General description of proposed project / request: <u>MUCH LIKE PATAGONIA SUBDIVISION to the west</u>
Type of use proposed (check all that apply):
☒ Residential _____
☐ Commercial _____
☐ Office _____
☐ Industrial _____
☐ Other _____
Amenities provided with this development (if applicable): _____

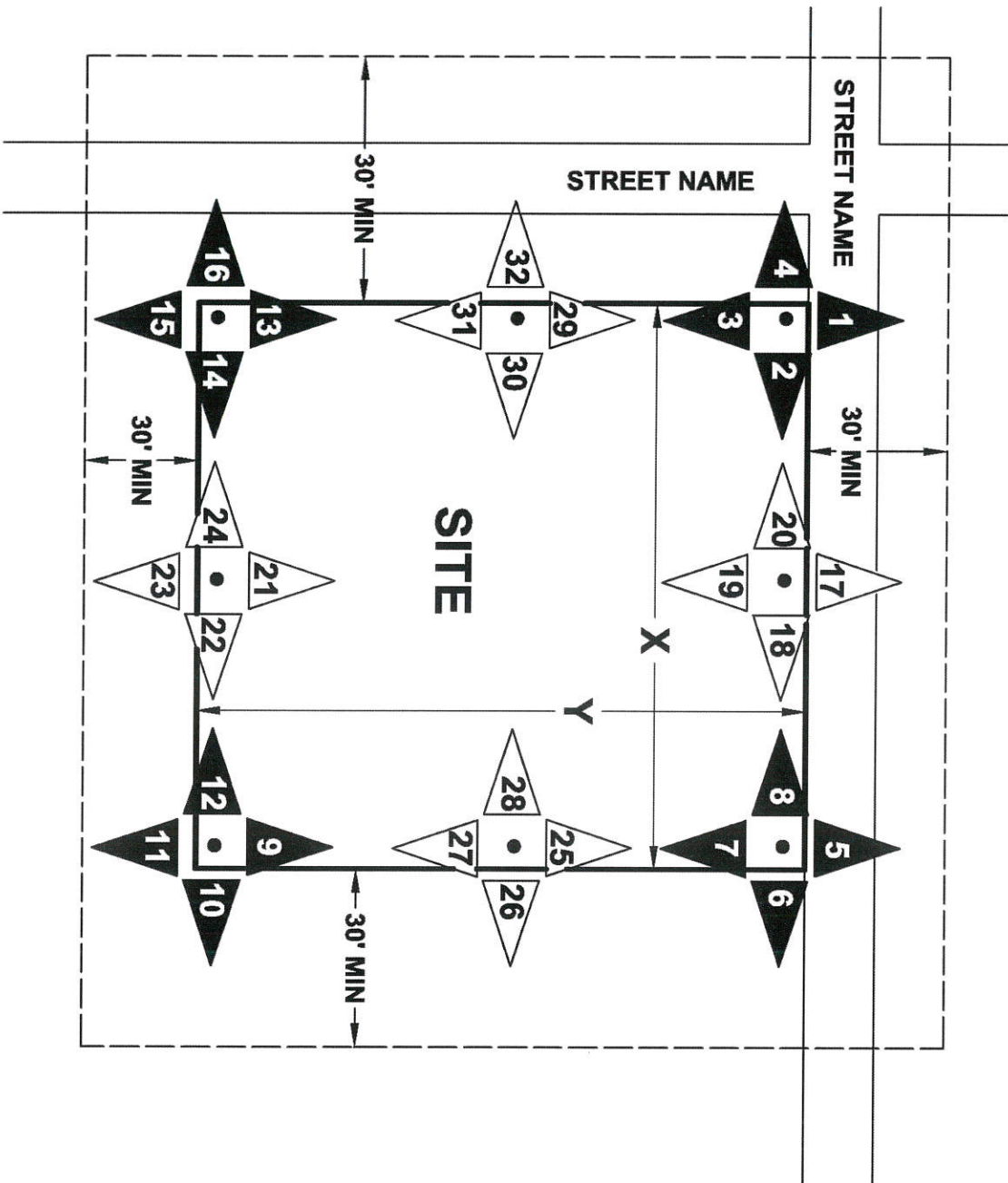
Residential Project Summary (if applicable)

Are there existing buildings? ☐ Yes ☒ No
Please describe the existing buildings: _____
Any existing buildings to remain? ☐ Yes ☒ No
Number of residential units: _____ Number of building lots: _____
Number of common and/or other lots: _____
Type of dwellings proposed:
☒ Single-Family _____
☒ Townhouses _____
☐ Duplexes _____
☐ Multi-Family _____
☐ Other _____
Minimum Square footage of structure (s): _____
Gross density (DU/acre-total property): _____ Net density (DU/acre-excluding roads): _____
Percentage of open space provided: _____ Acreage of open space: _____
Type of open space provided (i.e. landscaping, public, common, etc.): _____

Non-Residential Project Summary (if applicable)

Number of building lots: _____	Other lots: _____
Gross floor area square footage: _____	Existing (if applicable): _____
Hours of operation (days & hours): _____	Building height: _____
Total number of employees: _____	Max. number of employees at one time: _____
Number and ages of students/children: _____	Seating capacity: _____
Fencing type, size & location (proposed or existing to remain): _____	
Proposed Parking:	a. Handicapped spaces: _____ Dimensions: _____
	b. Total Parking spaces: _____ Dimensions: _____
	c. Width of driveway aisle: _____
Proposed Lighting: _____	
Proposed Landscaping (berms, buffers, entrances, parking areas, common areas, etc.): _____	

Applicant's Signature: [Signature] Date: 5/16/17



Project Information:
Name: *PLAN BROWNIE*
Project:
Gross Acre:

NOTE:

Provide Site Plan on an 8 1/2" x 11" paper—indicating placement of photo orientation.

All applicants are expected to provide COLOR photographs at a 1-16 minimum.

If Distance 'X' is GREATER than 500-feet, also take photos 17-24.

If Distance 'Y' is GREATER than 500-feet, also take photos 17-24.

RECEIVED
5-16-17

John Browning

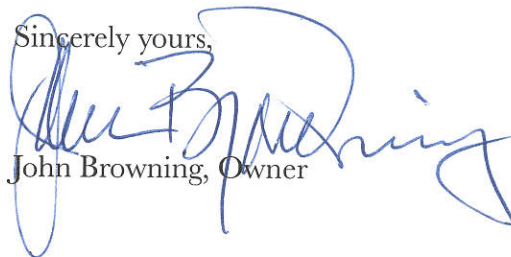
880 E Hubbard Rd
Kuna, Idaho 83634
208-850-4044
firstservicegroup@gmail.com

May 16, 2017

City of Kuna
751 W 4th Street
Kuna, Idaho 83634

Please consider this letter a request to Annex and Re-zone to R-8, my property located at 882 E Hubbard Road. I have completed the Neighborhood Meeting and request a hearing with City of Kuna to complete the rezone and annexation.

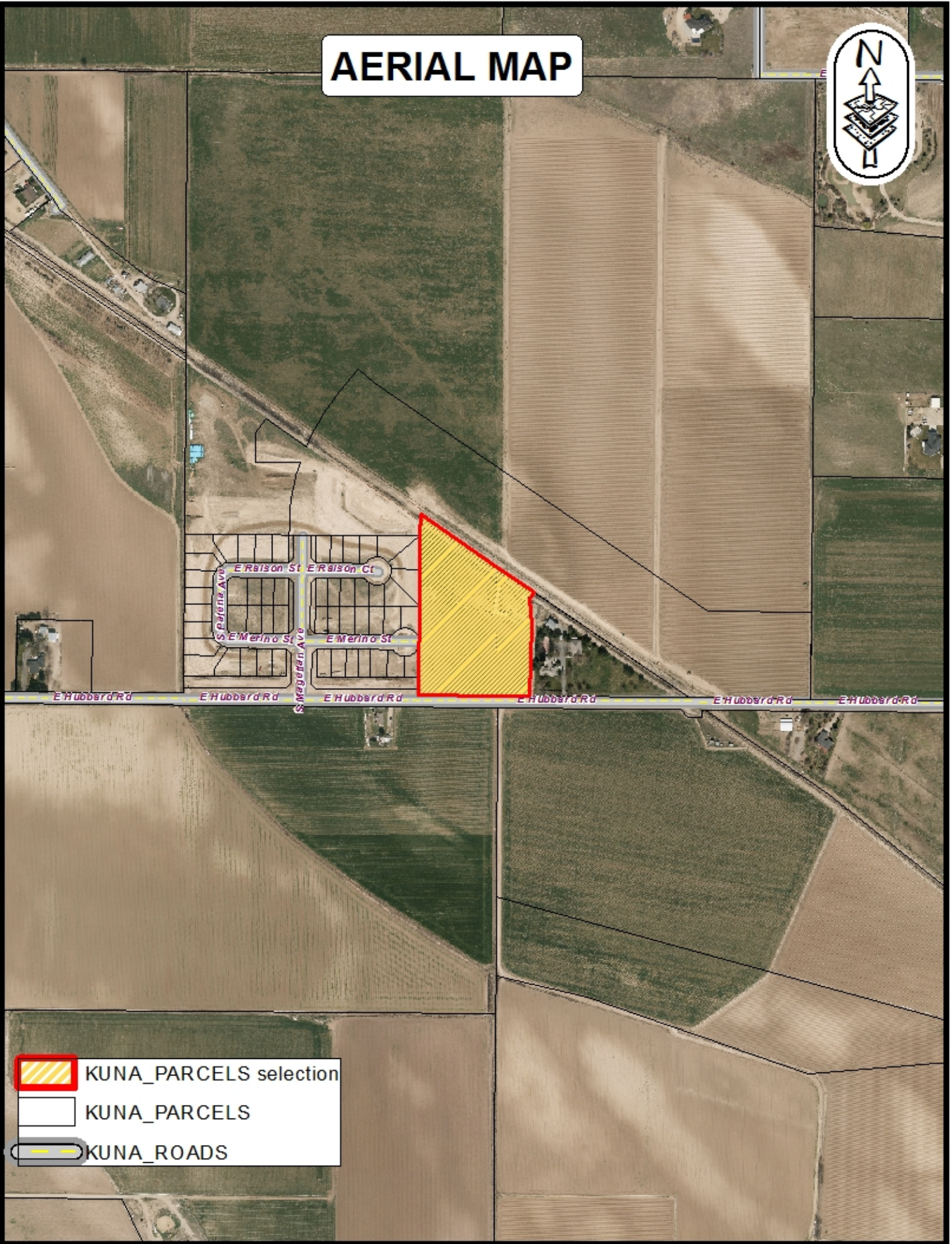
Sincerely yours,



John Browning, Owner

Exhibit
A2b

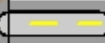
AERIAL MAP



KUNA_PARCELS selection

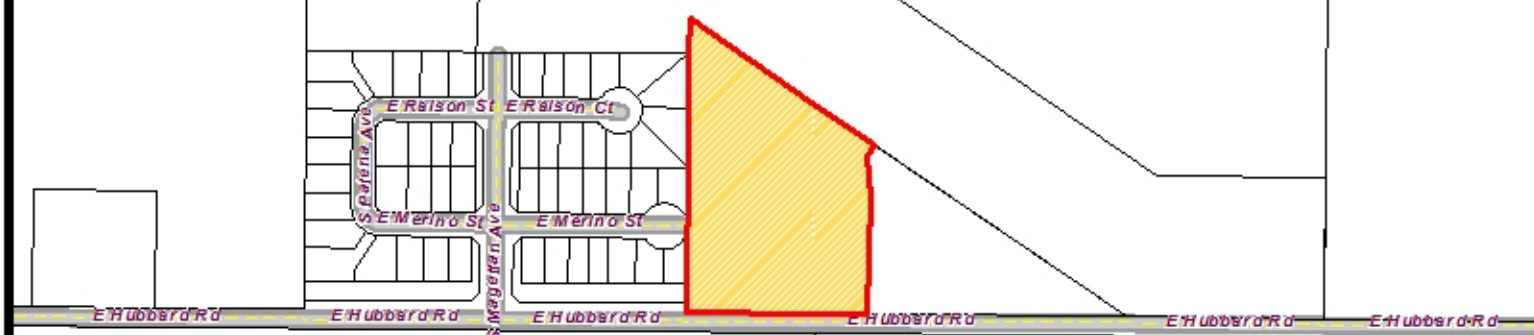


KUNA_PARCELS



KUNA_ROADS

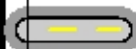
VICINITY MAP



KUNA_PARCELS selection



KUNA_PARCELS



KUNA_ROADS

DESCRIPTION FOR
JOHN BROWNING
DEVELOPMENT PARCEL OF ROS NO. 9940

November 18, 2014

A PARCEL OF LAND BEING A PORTION OF PARCEL "B" OF RECORD OF SURVEY NO. 5995, LOCATED IN THE SOUTH 1/2 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE BOISE MERIDIAN, ADA COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SE ¼ (SOUTH ¼ CORNER) OF SECTION 7, T 2 N. R 1 E. B.M. THE REAL POINT OF BEGINNING OF THIS DESCRIPTION:
THENCE N 89°27'26" W 334.50 FEET ALONG THE SOUTH LINE OF THE SW ¼ OF SAID SECTION 7 TO A POINT;
THENCE N 00°34'15" E 789.51 FEET TO A POINT ON THE CENTERLINE OF THE MASON CREEK FEEDER;
THENCE S 55°26'08" E 385.55 FEET ALONG SAID CENTERLINE TO A POINT;
THENCE S 55°46'15" E 198.38 FEET ALONG SAID CENTERLINE TO A POINT;
THENCE S 34°13'45" W 34.00 FEET TO A POINT;
THENCE S 03°53'50" E 103.91 FEET TO A POINT;
THENCE S 01°48'15" W 332.01 FEET TO A POINT ON THE SOUTH LINE OF THE SE ¼ OF SAID SECTION 7;
THENCE N 89°25'45" W 132.39 FEET ALONG SAID SOUTH LINE TO THE REAL POINT OF BEGINNING OF THIS DESCRIPTION, SAID PARCEL HAVING AN AREA OF 6.82 ACRES, MORE OR LESS



Exhibit

A2d

DESCRIPTION FOR
JOHN BROWNING
DEVELOPMENT PARCEL OF ROS NO. 9940

November 18, 2014

A PARCEL OF LAND BEING A PORTION OF PARCEL "B" OF RECORD OF SURVEY NO. 5995, LOCATED IN THE SOUTH 1/2 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE BOISE MERIDIAN, ADA COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SE 1/4 (SOUTH 1/4 CORNER) OF SECTION 7, T.2 N., R.1 E., B.M., THE REAL POINT OF BEGINNING OF THIS DESCRIPTION;
THENCE N 89°27'26" W 334.50 FEET ALONG THE SOUTH LINE OF THE SW 1/4 OF SAID SECTION 7 TO A POINT;
THENCE N 00°34'15" E 789.51 FEET TO A POINT ON THE CENTERLINE OF THE MASON CREEK FEEDER;
THENCE S 55°26'08" E 385.55 FEET ALONG SAID CENTERLINE TO A POINT;
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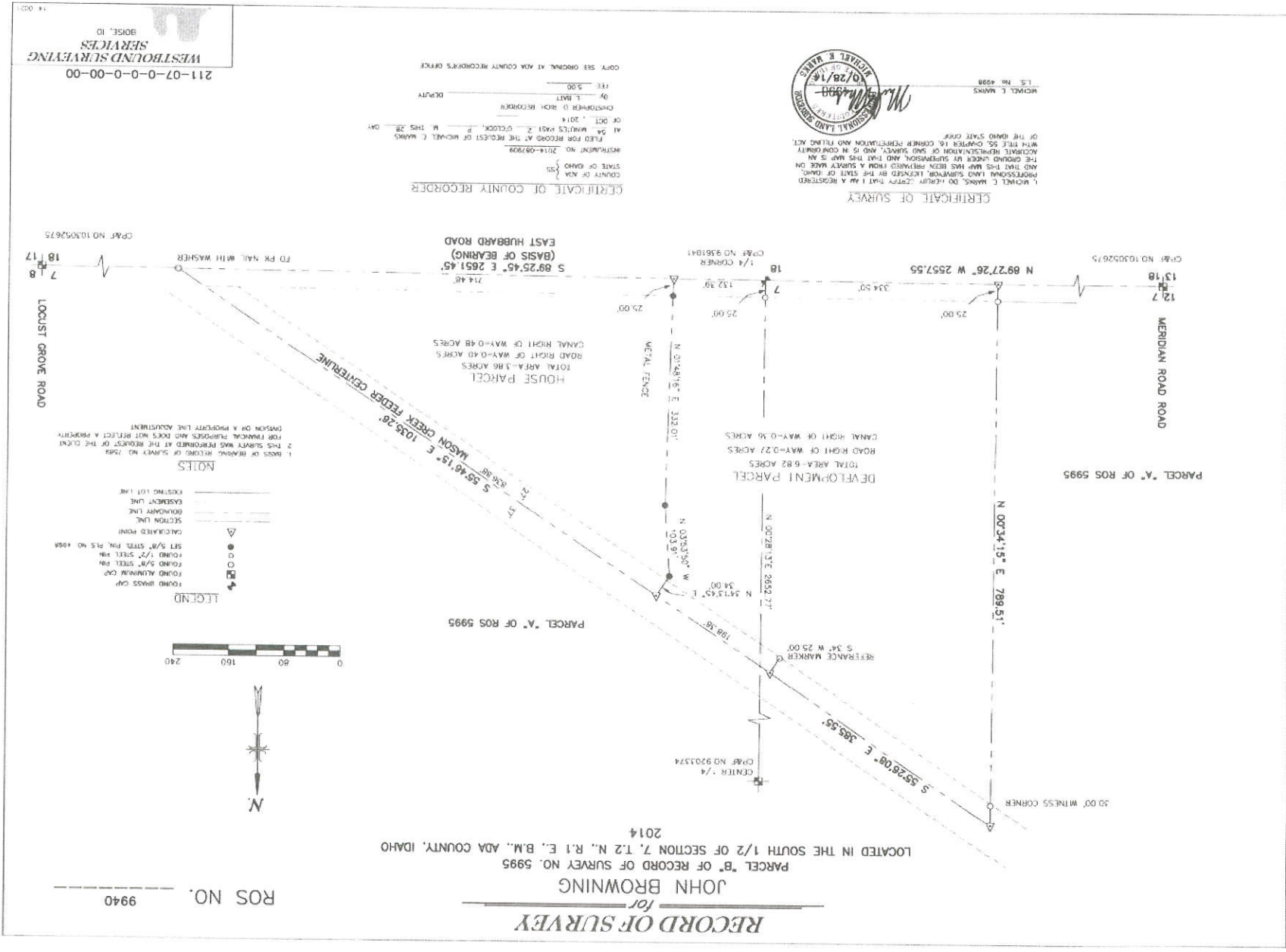


RECORD OF SURVEY

for
JOHN BROWNING

PARCEL "B" OF RECORD OF SURVEY NO. 5995
LOCATED IN THE SOUTH 1/2 OF SECTION 7, T.2 N., R.1 E., B.M., ADA COUNTY, IDAHO
2014

ROS NO. 9940



RECEIVED
5.16.17

RECEIVED
5-16-17

ADA COUNTY RECORDER Christopher D. Rich
BOISE IDAHO Pgs=2 LISA BATT
JOHN BROWNING

2014-093233
11/17/2014 11:38 AM
AMOUNT:\$13.00



**Re-recorded to correct legal.

Warranty Deed

For value received,

John W. Browning, an unmarried man

the grantor, does hereby grant, bargain, sell, and convey unto

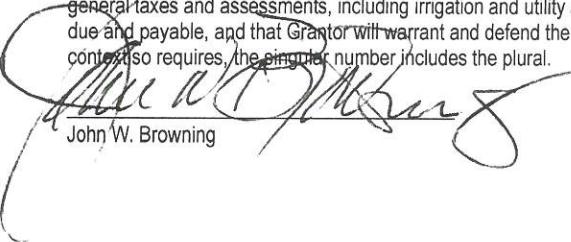
John W Browning, an unmarried man

whose current address is **880 E. Hubbard Rd., Kuna, ID 83634**

the grantee, the following described premises, in Ada County, Idaho, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context also requires, the singular number includes the plural.


John W. Browning

State of Idaho, County of Ada ss.

On this 17 day of November, 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared John W. Browning, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.


Notary Public
My Commission Expires:
(seal)

Residing at: Boise Idaho
Commission Expires: 5/31/2018

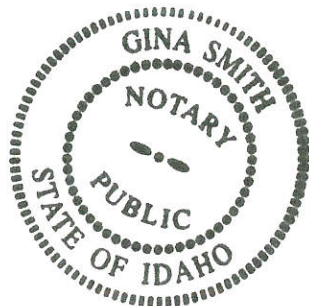


Exhibit
Aze



City of Kuna
**AFFIDAVIT OF
LEGAL INTEREST**

City of Kuna
P.O. Box 13
Kuna, Idaho 83634

Phone: (208) 922-5274
Fax: (208) 922-5989
Web: www.cityofkuna.com

State of Idaho)
) ss.
County of Ada)

I, John Browning, 880 E HUBBARD RD
Name Address
Kuna ID 83634
City State Zip Code

being first duly sworn upon oath, depose and say:

(If Applicant is also Owner of Record, skip to B)

A. That I am the record owner of the property described on the attached, and I grant my
permission to _____
Name Address

to submit the accompanying application pertaining to that property.

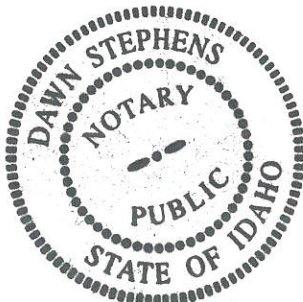
B. I agree to indemnify, defend and hold City of Kuna and its employees harmless from any
claim or liability resulting from any dispute as to the statements contained herein or as to
the ownership of the property which is the subject of the application.

C. I hereby grant permission to the City of Kuna staff to enter the subject property for the purpose
of site inspections related to processing said application(s),

Dated this 16th day of MAY, 2017

John Browning
Signature

Subscribed and sworn to before me the day and year first above written.



Annexation Checklist

Dawn Stephens
Notary Public for Idaho

Residing at: Kuna, Idaho

My commission expires: 1-17-18

Form 300AN

May 2010
Page 2



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5.16.17

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5-16-17

May 4, 2017

Dear Property Owner,

We have an annexation and re-zone request submitting to City of Kuna. We are having a Neighborhood Meeting on May 10th, 2017 at 6PM. It will be held at the site of the property, which is the 6.8 acres that is just West of the home at 880 E Hubbard Road, Kuna, Idaho. The meeting is for the annexation request to City of Kuna, and the rezone from County Zone of RR to a City of Kuna Zone of R-8.

Sincerely yours,

John Browning, Land Owner.

208-850-4044

JOHN BROWNING

880 E HUBBARD RD.



RECEIVED
MAY 08 2017
CITY OF KUNA

May 4, 2017

Dear Property Owner,

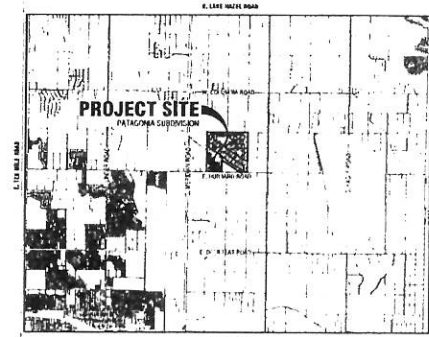
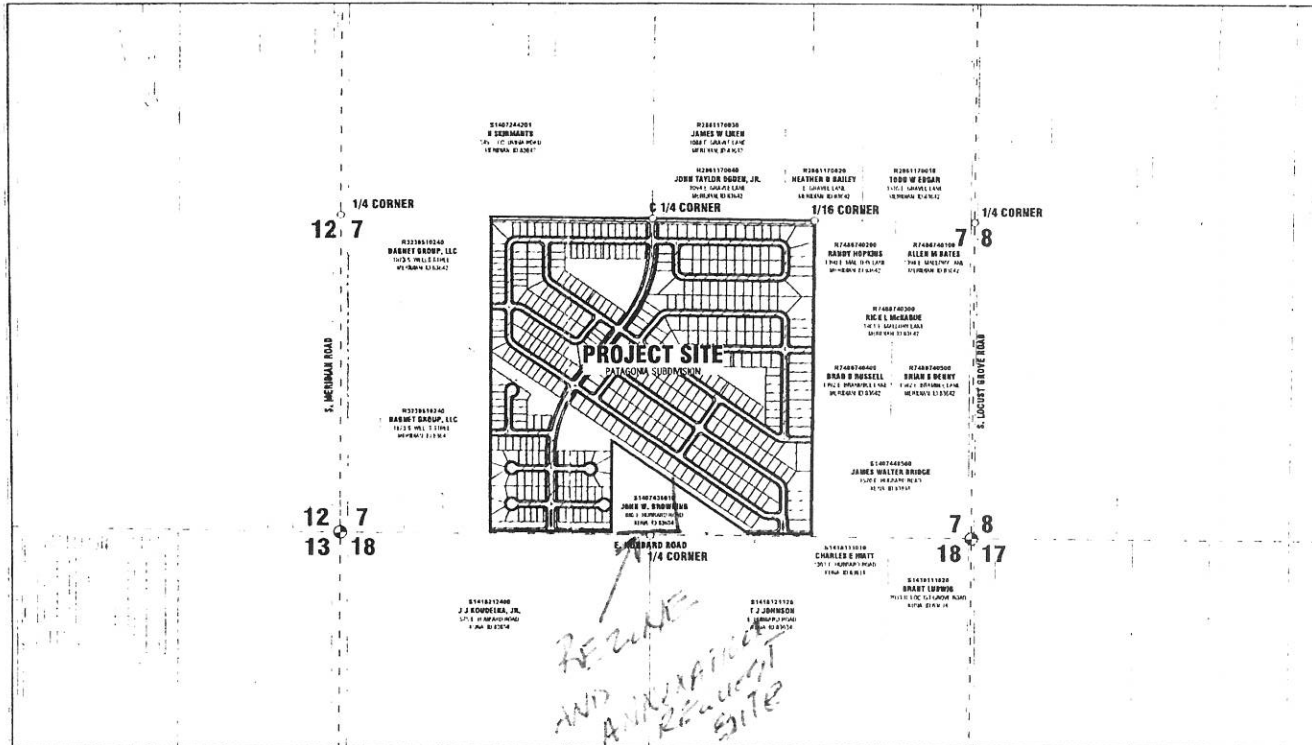
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Sincerely yours,

John Browning, Land Owner.

PATAGONIA SUBDIVISION - 2013 PRELIMINARY PLAT

KUNA, IDAHO
LOCATED IN THE S 1/2 OF SECTION 7,
T. 2N., R. 1E., B.M., CITY OF KUNA, ADA COUNTY, IDAHO



1 VICINITY MAP

SCALE: 1" = 500' HORIZONTAL

2 PATAGONIA SUBDIVISION SHEET INDEX

1 OF 5	P.100	TITLE SHEET
2 OF 5	P.200	PRELIMINARY PLAT
3 OF 5	P.300	PRELIMINARY PLAT
4 OF 5	P.400	PRELIMINARY PLAT
5 OF 5	P.500	PRELIMINARY PLAT

3 PATAGONIA SUBDIVISION PRELIMINARY PLAT DATA

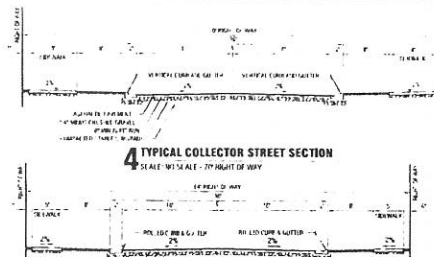
TOTAL ACRES	150.35 AC	ZONING	
PUBLIC ROAD OF HWY 4	2.05%	170 TNG. FR	PROPERTY ID: 14-6
RESIDENTIAL AREA	95.95%	MINIMUM LOT SIZE (SF)	
COMMON AREA	17.98%	1/2 ACRE	0.408
COMMON AREA PERCENTAGE	11.95%	AVERAGE LOT SIZE	
			0.265
TOTAL LOTS	484	RESIDENTIAL GROSS DENSITY (Dn/Ac)	3.25
SINGLE-FAMILY LOTS	478		
COMMERCIAL LOTS	6		

PRELIMINARY PLAT NOTES

- [illegible]

PATAGONIA SUBDIVISION PRELIMINARY PLAT LEGEND

SMALL PLAIN LEGEND		SMALL LEGEND		PRELIMINARY LEGEND	
	100' AND 100' L&L		100' AND 100' L&L		100' AND 100' L&L
	100' AND 100' L&L		100' AND 100' L&L		100' AND 100' L&L
	100' AND 100' L&L		100' AND 100' L&L		100' AND 100' L&L
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	100' AND 100' L&L		100' AND 100' L&L		100' AND 100' L&L



TYPICAL LOCAL STREET SECTION

SCALE: NO SCALE - 6" HEIGHT OF WAY

PATAGONIA SUBDIVISION CONTACT INFORMATION

ENGINEER	DEVELOPER	OWNER
CIVIL INNOVATIONS, PLLC CONTACT: BEN THOMAS PO BOX 170811 BOISE IDAHO 83717 PHONE: (208) 914-0770	THE WESTPARK COMPANY, INC CONTACT: TAYLOR MERRILL PO BOX 344 MERIDIAN IDAHO 83642 PHONE: (208) 888-6546	ARBOR RIDGE, LLC CONTACT: TAYLOR MERRILL PO BOX 344 MERIDIAN IDAHO 83612 PHONE: (208) 888-0945

CIVIL INNOVATIONS, PLLC
P.O. Box 170811
Boise, ID 83717
Phone: (208) 914-0770
www.civil-innovations.com



NC	DESCRIPTION	BY	DATE
	REF. 200-5		

PATAGONIA SUBDIVISION
KUNA ICAHO

KUNA IDAHO

THE SHEET

PROJECT #	PATAGONIA
DWG. FILE	13-4970-FA
DESIGNED BY	BT
DRAWN BY	KDH
CHECKED BY	BT
ISSUE DATE:	11/01/2013
HORIZ. SCALE	AS SHOWN
VERT. SCALE	AS SHOWN

P 100

P.100
SHEET 1 OF 5



RECEIVED
5-16-17

Neighborhood Meeting Certification

CITY OF KUNA PLANNING & ZONING * 763 W. Avalon, Kuna, Idaho, 83634 * www.kunacity.id.gov * (208) 922-5274 * Fax: (208) 922-5989

GENERAL INFORMATION:

You must conduct a neighborhood meeting prior to application for variance, conditional use, zoning ordinance map amendment, expansion or extension of a nonconforming use, and/or a subdivision. Please see Section 8-7A-3 of the Kuna City Code or ask one of our planners for more information on neighborhood meetings.

The meeting must be held either on a weekend between 10 a.m. and 7 p.m., or a weekday between 6 p.m. and 8 p.m. Meetings cannot be conducted on holidays, holiday weekends, or the day before or after a holiday or holiday weekend. The meeting must be held at one of the following locations:

- The Subject Property;
- The nearest available public meeting place (Examples include fire stations, libraries and community centers);
- An office space within a 1-mile radius of the subject property.

The meeting cannot take place more than 2 months prior to acceptance of the application and the application will not be accepted before the neighborhood meeting is conducted. You are required to send written notification of your meeting, allowing a reasonable amount of time before your meeting for property owners to plan to attend. Contacting and/or meeting individually with residents will not fulfill Neighborhood Meeting requirements.

You may request a list of the people you need to invite to the neighborhood meeting from our department. This list includes property owners within 300 feet of the subject property. Once you have held your neighborhood meeting, please complete this certification form and include it with your application.

Please Note: The neighborhood meeting must be conducted in one location for attendance by all neighboring residents. Contacting and/or meeting individually with residents does not comply with the neighborhood meeting requirements.

Please include a copy of the sign-in sheet for your neighborhood meeting, so we have written record of who attended your meeting and the letter of intent sent to each recipient. In addition, provide any concerns that may have been addressed by individuals that attended the meeting.

Description of proposed project: REZONE AND ANNEXATION 6.8 ACRES E HUBBARD RD
Date and time of neighborhood meeting: MAY 10TH 2017 6:00 PM
Location of neighborhood meeting: AT SUBJECT PROPERTY

SITE INFORMATION:

Location: Quarter: S1/2 Section: 7 Township: 2N Range: 1E Total Acres: 6.818 ACRES
Subdivision Name: _____ Lot: _____ Block: _____
Site Address: 882 E HUBBARD RD Tax Parcel Number(s): 51407347180

Please make sure to include all parcels & addresses included in your proposed use.

CURRENT PROPERTY OWNER:

Name: JOHN BROWNING
Address: 880 E HUBBARD RD City: KUNA State: ID Zip: 83634

CONTACT PERSON (Mail recipient and person to call with questions):

Name: John Browning Business (if applicable): _____
Address: 880 E HUBBARD RD City: KUNA State: ID Zip: 83634

PROPOSED USE:

I request a neighborhood meeting list for the following proposed use of my property (check all that apply):

Application Type

Annexation
Re-zone
Subdivision (Sketch Plat and/or Prelim. Plat)
Special Use
Variance
Expansion of Extension of a Nonconforming Use
Zoning Ordinance Map Amendment

Brief Description

6.818 ACRE AT 882 E HUBBARD
RE-ZONE TO R-8

APPLICANT:

Name: John Browning
Address: 880 E. HUBBARD RD
City: KUNA State: ID Zip: 83634
Telephone: 208-850-4044 Fax: 208-345-9393

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with Section 5-1A-2 of the Kuna City Code

Signature: (Applicant)

John Browning Date 5/16/17

SIGN IN SHEET

PROJECT NAME: BROWNING REZONE - ANNEXATION

Date: 5/16/17

	Name	Address	Zip	Phone
1	Taylor Merrill	PO Box 344	MEDAN 8200	208-857-7260
2		Patagonia Development		
3				
4				
5				
6				
7				
8				
9				
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11				
12				
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17				
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25				
26				
27				
28				
29				
30				



Neighborhood Meeting List Request

CITY OF KUNA PLANNING & ZONING, 763 West Avalon, Kuna, Idaho 83634 * www.kunacity.id.gov * (208) 922-5274 * Fax: (208) 922-5989

GENERAL INFORMATION:

If you are applying for one of the uses listed below, you must conduct a Neighborhood Meeting. This meeting allows neighbors to learn more about your project before the public hearing (Kuna Planning & Zoning will notify surrounding property owners of the hearing). All involved property owners within *300 feet of the subject property boundary need to be invited to your meeting.

According to Kuna City Code, the meeting must be held either on a weekend between 10 a.m. and 7 p.m., or a weekday between 6 p.m. and 8 p.m. Meetings cannot be conducted on holidays, holiday weekends, or the day before or after a holiday or holiday weekend. The meeting must be held at one of the following locations:

- The Subject Property;
- The nearest available public meeting place (Examples include fire stations, libraries and community centers);
- An office space within a 1-mile radius of the subject property.

The meeting cannot take place more than 6 months prior to acceptance of the application and the application will not be accepted before the neighborhood meeting is conducted. You are required to send written notification of your meeting, allowing a reasonable amount of time before your meeting for property owners to plan to attend.

Please fill out the supplied certification form and include it with your application so we have written record of your meeting. Contacting and/or meeting individually with residents will not fulfill Neighborhood Meeting requirements.

*PLEASE NOTE: A **\$20.00 FEE** IS REQUIRED FOR THIS SERVICE (CITY OF KUNA PROVIDES MAILING LABELS)

PROPOSED USE:

I request a neighborhood meeting list for the following proposed use of my property (check all that apply):

APPLICATION TYPE

BRIEF DESCRIPTION

- ☐ Subdivision (Sketch Plat and/or Prelim. Plat)
- ☐ Conditional Use
- ☐ Variance
- ☐ Expansion of Extension of a Nonconforming Use
- ☒ Zoning Ordinance Map Amendment

R-8 Residential

SITE INFORMATION:

Location: Quarter: _____ Section: _____ Township: _____ Range: _____ Total Acres: _____
 Subdivision Name: _____ Lot(s): _____ Block(s): _____
 Site Address: _____ Tax Parcel Number(s): _____

Please make sure to include **all** parcels & addresses included in your proposed use.

CURRENT PROPERTY OWNER:

Name: John W Browning
 Address: 880 E HUBBARD RD City: Kuna State: ID Zip: 83634

CONTACT PERSON (Mail recipient and person to call with questions):

Name: John W Browning Business (if applicable): _____
 Address: 880 E HUBBARD City: Kuna State: ID Zip: 83634
 Fax: 208-343-9331 Phone: 208-343-9393 Cell: 208-850-4044

OFFICE USE ONLY

File No.: _____ Received By: [Signature] Date: _____ Stamped: _____

PRIMOWNER
KW HOMES INC
PATAGONIA DEVELOPMENT LLC
BROWNING JOHN W
JOHNSON T J
PATAGONIA DEVELOPMENT LLC
STYLISH HOMES LLC
ARBOR RIDGE LLC
STYLISH HOMES LLC
STACY CONSTRUCTION INC
SCHROEDER ENTERPRISES
BERKELEY BUILDING COMPANY INC
SCHROEDER ENTERPRISES INC
BROWNING JOHN W
KOUDELKA J J JR

SECOWNER

JOHNSON G ELAINE

KOUDELKA MADGE H

ADDCONCAT
3866 S LAMONE WAY
PO BOX 344
880 E HUBBARD RD
2425 N LOCUST GROVE RD
PO BOX 344
12849 N 12TH AVE
P O BOX 344
12849 N 12TH AVE
13923 W WAINWRIGHT DR # 303
1825 E SPIRIT HAWK LN
PO BOX 5927
1825 E SPIRIT HAWK LN
880 E HUBBARD RD
PO BOX 1564

STATCONCAT
MERIDIAN, ID 83642-0000
MERIDIAN, ID 83680-0000
KUNA, ID 83634-0000
KUNA, ID 83634-1313
MERIDIAN, ID 83680-0000
GARDEN CITY, ID 83714-0000
MERIDIAN, ID 83680-0000
GARDEN CITY, ID 83714-0000
BOISE, ID 83713-0000
KUNA, ID 83634-0000
BOISE, ID 83705-0000
KUNA, ID 83634-5101
KUNA, ID 83634-0000
NAMPA, ID 83653-1564

City of Kuna

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5-16-17



City of Kuna COMMITMENT TO PROPERTY POSTING

City of Kuna
P.O. Box 13
Kuna, Idaho 83634
Phone: (208) 922-5274
Fax: (208) 922-5989
Web: www.cityofkuna.com

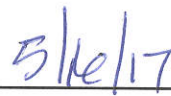
Per City Code 5-1A-8, the applicant for all applications requiring a public hearing shall post the subject property not less than ten (10) days prior to the hearing. The applicant shall post a copy of the public hearing notice or the application (s) on the property under consideration.

The applicant shall submit proof of property posting in the form of a notarized statement and a photograph of the posting to the City no later than seven (7) days prior to the public hearing attesting to where and when the sign (s) were posted. Unless such Certificate is received by the required date, the hearing will be continued.

The sign (s) shall be removed no later than three (3) days after the end of the public hearing for which the sign (s) had been posted.

I am aware of the above requirements and will comply with the posting requirements as stated in Kuna City Code 5-1A-8


Applicant/agent signature


Date



BRIAN McDEVITT
CHAIRMAN OF THE BOARD

RICHARD DURRANT
VICE CHAIRMAN OF THE BOARD

TIMOTHY M. PAGE
PROJECT MANAGER

ROBERT D. CARTER
ASSISTANT PROJECT MANAGER

APRYL GARDNER
SECRETARY-TREASURER

JERRI FLOYD
ASSISTANT SECRETARY-
TREASURER

BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2465 OVERLAND ROAD
BOISE, IDAHO 83705-3155

OPERATING AGENCY FOR 167,000
ACRES FOR THE FOLLOWING
IRRIGATION DISTRICTS

NAMPA-MERIDIAN DISTRICT
BOISE-KUNA DISTRICT
WILDER DISTRICT
NEW YORK DISTRICT
BIG BEND DISTRICT

TEL: (208) 344-1141
FAX: (208) 344-1437

RECEIVED
JUL 27 2017
CITY OF KUNA

25 July 2017

City of Kuna
P.O. Box 13
Kuna, Idaho 83634

RE: John Browning
882 East Hubbard Rd
New York Irrigation District
Mason Creek Feeder 144+90
Sec. 07, T2N, R1E, BM.

File Number - 17-04-AN

NY-104-271-01

Jace Hellman, Planner I:

The United States' Mason Creek Feeder lies within the boundary of the above-mentioned location. The easement for this lateral is held in the name of the United States through the Bureau of Reclamation under the authority of the Act of August 30, 1890. (26 Stat. 391; 43 U.S.C. 945)

The Boise Project Board of Control is contracted to operate and maintain this lateral. We assert the federal easement 37 feet north and 35 feet south of the lateral's centerline. Whereas this area is for the operation and maintenance of our facility, no activity should hinder our ability to do so.

Please note the appropriate easements on all future preliminary/final plats.

Boise Project Board of Control must also review and approve any final plats prior to recording.

Wording on the preliminary and final recorded plat needs to state that any proposed and/or future usage of the Boise Project Board of Control facilities are subject to Idaho Statutes, Title 42-1209.

Project facilities and/or easements that parallel, and are within and/or intended to be within road right-of-ways due to any development of this property must be relocated outside of road right-of-ways. The easements of Boise Project facilities will remain the same unless agreed upon and/or approved with written permission from Boise Project Board of Control.

Exhibit

B1

The construction of any roadway crossings must be conducted only during the non-irrigation season when the lateral is dewatered. In any case no work shall take place within the easement before the proper crossing agreements have been secured through the Bureau of Reclamation and the Boise Project Board of Control.

Utilities planning to cross any project facility must do so in accordance with the master policies now held between the Bureau of Reclamation and most of the utilities. In any case, no work shall take place within the easement before proper crossing agreements have been secured through both the Bureau of Reclamation and the Boise Project Board of Control.

Fencing (as may be required) must be constructed just off the canal easement, to insure public safety and prevent encroachments.

Parking lots, curbing, light poles, signs, etc. and the placing of asphalt and/or cement over Project facility easements must be approved by Boise Project Board of Control prior to construction.

The Boise Project does not approve landscaping (other than grass or gravel) within its easements, as this will certainly increase our cost of maintenance.

Boise Project Board of Control must approve any requests and/or relocation of delivery points prior to construction.

Storm Drainage and/or Street Runoff must be retained on site.

NO DISCHARGE into any live irrigation system is permitted.

Local irrigation/drainage ditches that cross this property, in order to serve neighboring properties, must remain unobstructed and protected by an appropriate easement.

Should there be any small (neighborhood) irrigation ditches on this site, the developers and/or landowners will be obligated to protect them and allow water to pass to downstream neighbors.

This development is subject to Idaho Code 31-3805, in accordance, this office is requesting a copy of the irrigation and drainage plans.

Whereas this property lies within the New York Irrigation District it is important that representatives of this development contact the NYID office as soon as possible to discuss the pressure system prior to any costly design work. If applicable, the irrigation system will have to be built to specific specifications as set by the District / Project.

Boise Project Board of Control must receive a written response from the New York Irrigation District as to who will own and operate the pressure irrigation system prior to review and approval of an irrigation plan by Boise Project Board of Control.

Whereas this development is in its preliminary stages, Boise Project Board of Control reserves the right to review plans and require changes when our easements and/or facilities are affected by unknown factors.

If you have any further questions or comments regarding this matter, please do not hesitate to contact me at (208) 344-1141.

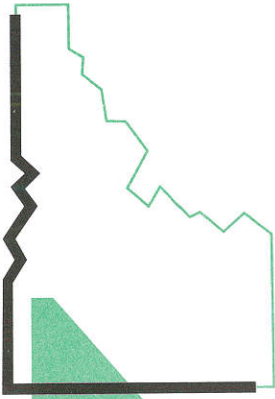
Sincerely,

A handwritten signature in black ink, appearing to read 'Thomas Ritthaler', with a stylized, sweeping flourish at the end.

Thomas Ritthaler
Management/GIS

tbr/tr

cc:	Clint McCormick	Watermaster, Div; 2 BPBC
	Terri Hasson	Secretary – Treasurer, NYID
	File	



ORGANIZED 1904

Nampa & Meridian Irrigation District

1503 FIRST STREET SOUTH
FAX #208-463-0092

NAMPA, IDAHO 83651-4395
nmid.org

OFFICE: Nampa 208-466-7861
SHOP: Nampa 208-466-0663

July 26, 2017

Jace Hellman, Planner I
City of Kuna
P.O. Box 13
Kuna, ID 83634

RECEIVED
JUL 31 2017
CITY OF KUNA

RE: 1704_AN/ John Browning; 882 E. Hubbard Road

Dear Jace:

Nampa & Meridian Irrigation District (NMID) has no comment on the above-referenced application.

All private laterals and waste ways must be protected. All municipal surface drainage must be retained on-site. If any surface drainage leaves the site, NMID must review drainage plans. The developer must comply with Idaho Code 31-3805.

Sincerely,

Greg G. Curtis
Water Superintendent
Nampa & Meridian Irrigation District
GGC/gnf

PC: Office/File



APPROXIMATE IRRIGABLE ACRES
RIVER FLOW RIGHTS - 23,000
BOISE PROJECT RIGHTS - 40,000

Exhibit

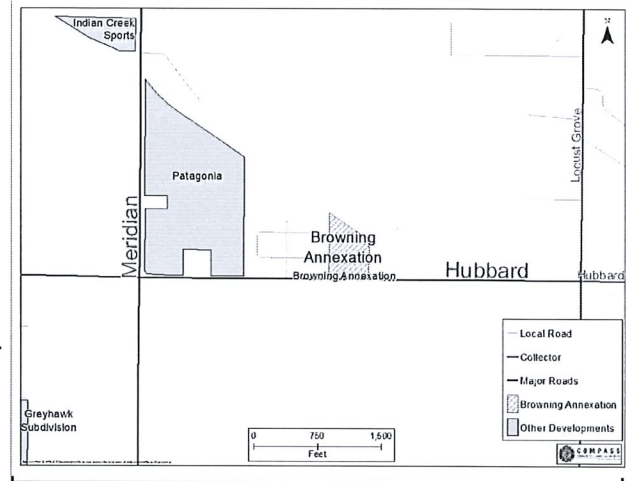
B2

Communities in Motion 2040 Development Checklist

RECEIVED
8.7.2017

The Community Planning Association of Southwest Idaho (COMPASS) is the metropolitan planning organization (MPO) for Ada and Canyon Counties. COMPASS has developed this checklist as a tool for local governments to evaluate whether land developments are consistent with the goals of *Communities in Motion 2040* (CIM 2040), the regional long-range transportation plan for Ada and Canyon Counties. CIM 2040 was developed through a collaborative approach with COMPASS member agencies and adopted by the COMPASS Board on **July 21, 2014**.

This checklist is not intended to be prescriptive, but rather a guidance document based on CIM 2040 goals, objectives, and performance measures. A checklist user guide is available [here](#); and more information about the CIM 2040 goals can be found [here](#); and information on the CIM 2040 Vision can be found [here](#).



Click for detailed map.

Name of Development: Browning Annexation

Summary: Annexation of approximately 7 acres northeast of the intersection of Meridian Road and Hubbard Road. This proposal meets 7 CIM checklist items and does not meet 12 items. Consider a multi-use pathway along the Mason Creek Feeder and a stub street to the existing neighborhood to the west.

Land Use

In which of the **CIM 2040 Vision Areas** is the proposed development? (**Goal 2.1**)?

- ☐ Downtown ☐ Employment Center ☐ Existing Neighborhood ☐ Foothills
☒ Future Neighborhood ☐ Mixed Use ☐ Prime Farmland ☐ Rural
☐ Small Town ☐ Transit Oriented Development

☐ Yes ☒ No ☐ N/A The proposal is within a CIM 2040 Major Activity Center. (**Goal 2.3**)

Neighborhood (Transportation Analysis Zone) Demographics

Existing		Existing TAZ + Proposal		2040 Forecast	
Households	Jobs	Households	Jobs	Households	Jobs
24	13	80	13	786	257

☒ Yes ☐ No ☐ N/A The number of jobs and/or households in this development is consistent with jobs/households in the CIM 2040 Vision in this neighborhood. (**Goal 2.1**)

Area (Adjacent Transportation Analysis Zone) Demographics

Existing		Existing TAZs + Net Proposed		2040 Forecast	
Households	Jobs	Households	Jobs	Households	Jobs
293	79	907	79	1,443	645

☒ Yes ☐ No ☐ N/A The number of jobs and/or households in this development is consistent with jobs/households in the CIM 2040 Vision in this area. (**Goal 2.1**)



More information on COMPASS and *Communities in Motion 2040* can be found at:
www.compassidaho.org
 Email: info@compassidaho.org
 Telephone: (208) 475-2239



COMPASS
 COMMUNITY PLANNING ASSOCIATION
 of Southwest Idaho

Exhibit
B3

Communities in Motion 2040 Development Checklist

Transportation

- ☐ **Attached** ☒ **N/A** An Area of Influence Travel Demand Model Run is attached.
☒ **Yes** ☐ **No** ☐ **N/A** There are relevant projects in the current Regional **Transportation Improvement Projects** (TIP) within one mile of the development.

Comments: Future signalized intersection at Hubbard & US 69 in 2021 \$760,000. Resurface of US 69 in 2018

- ☐ **Yes** ☐ **No** ☒ **N/A** The proposal uses appropriate access management techniques as described in the **COMPASS Access Management Toolkit**.

Comments: No site plan provided.

- ☒ **Yes** ☐ **No** ☐ **N/A** This proposal supports Valley Regional Transit's valleyconnect plan. See Valley Regional Transit Amenities Development Guidelines for additional detail.

Comments: Future flex service area (60 min all day) also secondary service route: 30-60 minutes w/ frequent stops

The **Complete Streets Level of Service (LOS) scoring** based on the proposed development will be provided on an separate worksheet (**Goals 1.1, 1.2, 1.3, 1.4, 2.4**):

- ☒ **Attached** ☐ **N/A** Complete Streets LOS scorecard is attached.
☐ **Yes** ☐ **No** ☒ **N/A** The proposal maintains or improves current automobile LOS.
☐ **Yes** ☐ **No** ☒ **N/A** The proposal maintains or improves current bicycle LOS.
☐ **Yes** ☐ **No** ☒ **N/A** The proposal maintains or improves current pedestrian LOS.
☐ **Yes** ☐ **No** ☒ **N/A** The proposal maintains or improves current transit LOS.

☐ **Yes** ☒ **No** ☐ **N/A** The proposal is in an area with a **Walkscore** over 50.

Housing

- ☐ **Yes** ☒ **No** ☐ **N/A** The proposal adds **compact housing** over seven residential units per acre. (**Goal 2.3**)
☐ **Yes** ☒ **No** ☐ **N/A** The proposal is a mixed-use development or in a mixed-use area. (**Goal 3.1**)
☐ **Yes** ☒ **No** ☐ **N/A** The proposal is in an area with lower transportation costs than the **regional average** of 26% of the median household income. (**Goal 3.1**)
☐ **Yes** ☒ **No** ☐ **N/A** The proposal improves the jobs-housing balance by providing housing in employment-rich areas. (**Goal 3.1**)

Community Infrastructure

- ☐ **Yes** ☒ **No** ☐ **N/A** The proposal is infill development. (**Goals 4.1, 4.2**)
☒ **Yes** ☐ **No** ☐ **N/A** The proposal is within or adjacent to city limits. (**Goals 4.1, 4.2**)
☒ **Yes** ☐ **No** ☐ **N/A** The proposal is within a city area of impact. (**Goals 4.1, 4.2**)

Health

- ☐ **Yes** ☒ **No** ☐ **N/A** The proposal is within 1/4 mile of a transit stop. (**Goal 5.1**)
☐ **Yes** ☒ **No** ☐ **N/A** The proposal is within 1/4 mile of a public school. (**Goal 5.1**)
☐ **Yes** ☒ **No** ☐ **N/A** The proposal is within 1/4 mile of a grocery store. (**Goal 5.1**)
☐ **Yes** ☒ **No** ☐ **N/A** The proposal is within 1 mile of a park and ride location. (**Goal 5.1**)

Economic Development

- ☐ **Yes** ☐ **No** ☒ **N/A** The proposal improves the jobs-housing balance by providing employment in housing-rich areas. (**Goal 3.1**)
☐ **Yes** ☐ **No** ☒ **N/A** The proposal provides grocery stores or other retail options for neighborhoods within 1/2 mile. (**Goal 6.1**)

Open Space

- ☐ **Yes** ☒ **No** ☐ **N/A** The proposal is within a 1/4 mile of a public park. (**Goal 7.1**)
☐ **Yes** ☐ **No** ☒ **N/A** The proposal provides at least 1 acre of parks for every 35 housing units. (**Goal 7.1**)

Farmland

- ☒ **Yes** ☐ **No** ☐ **N/A** The proposal is outside "Prime Farmland" in the CIM 2040 Vision. (**Goals 4.1, 8.2**)
☒ **Yes** ☐ **No** ☐ **N/A** The proposal is outside prime farmland. (**Goal 8.2**)



IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 8028
Boise, ID 83707-2028

(208) 334-8300
itd.idaho.gov

August 8, 2017

Jace Hellman
City of Kuna, Planning and Zoning Department
P.O. Box 13
Kuna, ID 83634

VIA EMAIL

RE: 17-04-AN JOHN BROWNING ANNEXATION

The Idaho Transportation Department has reviewed the referenced annexation and rezone application submitted by John Browning for 882 East Hibbard Road, east of SH-69, milepost 4.12. ITD has the following comments:

1. This project does not abut the State highway system.
2. Traffic generation numbers and a detailed site plan showing full build-out were not provided with this notice. The Idaho Administrative Procedures Act (IDAPA) governs access to state highways. Per IDAPA 39.03.42 rules, when a development generates 100 trips in the peak hour, 1000 trips per day, or the new vehicle volume will result from development that equals or exceeds the threshold values in Table 2 found in IDAPA 39.03.42, a traffic impact study shall be required, unless waived by the District Engineer. Since this development will gain access to the State Highway system at SH69 and Hubbard Road, ITD may require a Traffic Impact Study to determine what mitigation, if any, may be necessary at the intersection.
3. Idaho Code 40-1910 does not allow advertising within the right-of-way of any State highway system.
4. IDAPA 39.03.60 rules govern advertising along the State highway system. The applicant may contact Justin Pond, Program Manager for ITD's Headquarters Right-of-Way Section at 334-8832 for more information.

Exhibit

B4

5. The City is reminded that the SH-69 corridor is already becoming congested and this project will increase the number of vehicle trips in the corridor. ITD currently has a signal listed in the Idaho Transportation Improvement Plan (ITIP) for construction at the intersection of SH-69 and Hubbard Road.
6. ITD does not object to the annexation and rezoning of this parcel.

If you have any questions, you may contact Shona Tonkin at 334-8341 or me at 332-7190.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ken Couch".

Ken Couch
Development Services Coordinator
Ken.Couch@itd.idaho.gov



CENTRAL DISTRICT HEALTH DEPARTMENT
Environmental Health Division

Return to:

- ☐ ACZ
☐ Boise
☐ Eagle
☐ Garden City
☒ Kuna
☐ Meridian
☐ Star

Rezone # _____

Conditional Use # 17-04-AN

Preliminary / Final / Short Plat _____

City of Kuna

John Browning

- ☒ 1. We have No Objections to this Proposal.
- ☐ 2. We recommend Denial of this Proposal.
- ☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- ☐ 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- ☐ 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
☐ high seasonal ground water ☐ waste flow characteristics
☐ bedrock from original grade ☐ other _____
- ☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- ☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- ☐ 8. After written approval from appropriate entities are submitted, we can approve this proposal for:
☐ central sewage ☐ community sewage system ☐ community water well
☐ interim sewage ☐ central water
☐ individual sewage ☐ individual water
- ☐ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
☐ central sewage ☐ community sewage system ☐ community water
☐ sewage dry lines ☐ central water
- ☐ 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- ☐ 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- ☐ 12. We will require plans be submitted for a plan review for any:
☐ food establishment ☐ swimming pools or spas ☐ child care center
☐ beverage establishment ☐ grocery store
- ☐ 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.

☐ 14. _____

RECEIVED

Reviewed By: John Browning

JUL 28 2017

Date: 7/25/17

CITY OF KUNA

Exhibit

05

Exhibit

Jace Hellman

From: Jace Hellman
Sent: Monday, July 24, 2017 4:24 PM
To: ACHD; Ada County Engineer; Antonio Conti; Attorney Icloud; Becky Rone - Kuna USPS Addressing; Boise Project Board of Control; Boise Project Board of Control; Boise-Kuna Irrigation Distr.; Cable One t.v.; Central District Health Dept. CDHD; COMPASS; DEQ (Alicia.martin@deq.idaho.gov); Eric Adolfson; Idaho Power; Idaho Power; Idaho Power Easements; Intermountain Gas; Intermountain Gas; J&M Sanitation - Chad Gordon; Jaime Golliher; Julie Stanely - Regional Address Mgmt.; Ken Couch: Idaho Transportation Department; Kuna Police; Kuna Postmaster - Marc C. Boyer; Kuna School District; Kuna School District; Kuna School District; Nampa Meridian Irrigation District; Natalie Purkey (npurkey@kunaaid.gov); New York Irrigation; Planning Mgr: Ada County Development Services; Terry Gammel
Subject: Request for Comment on Case No. 17-04-AN (Annexation)
Attachments: Agency packet 7.24.2017.pdf

July 24, 2017

Notice is hereby given that the following action is under consideration by the City of Kuna:

FILE NUMBER	17-04-AN (annexation): John Browning
PROJECT DESCRIPTION	Applicant is proposing to have his property annexed into the City of Kuna with an R-8 zoning designation.
SITE LOCATION	882 East Hubbard Road, Kuna, ID 83634
APPLICANT/ REPRESENTATIVE	John Browning 880 E Hubbard Rd Kuna, ID 83634 208.850.4044 firstservicegroup@gmail.com
SCHEDULED HEARING DATE	Tuesday, August 22, 2017 6:00 p.m.
KUNA STAFF CONTACT	Jace Hellman, Planner I jhellman@kunaaid.gov Phone: 922-5274 Fax: 922-5989
We have included an attachment with the application items that were submitted to assist you with your consideration and responses. No response within 15 business days will indicate you have no objection or concerns with this proposed project. We would appreciate any information you can supply us as to how this action would affect the services you provide. The public hearing is at 6:00 p.m. or as soon thereafter as it may be heard located at Kuna City Hall 751 W. 4 th Street, Kuna, ID 83634.	



Jace Hellman
Planner I
City of Kuna
751 W 4th Street
Kuna, ID 83634
jhellman@kunaID.gov



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CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.KunaID.gov

MICHAEL L. BORZICK
GIS MAPPING

Telephone (208) 287-1726; Fax (208) 287-1731
Email: mborzick@kunaID.gov

MEMORANDUM

TO: Director of Kuna Planning and Zoning

FROM: In Place of the Kuna City Engineer
Michael L. Borzick
GIS Manager

RE: John Browning Annexation
North of Hubbard Road and East of Patagonia 1 Subdivision
Annexation Request
17-04-AN

DATE: July 25, 2017

The City Engineer has reviewed the request of the above applicant dated May 16, 2017. It is noted that specific development plans are not provided except those implied as allowed or permitted in a "R-8" zone. The recommendation of the City is to proceed with this Annexation and address any issues and conditions raised below in connection with this application during plan review. Accordingly, the City GIS manager provides the following comments in lieu of a City Engineer:

1. Sanitary Sewer Needs

- a) The applicant's property contains some scattered agriculture and does not appear to require immediate City service depending on the location of the existing drain field in regards to proposed buildings, parking areas, watermain, etc. Depending on the location of any drain fields or with additional development, it may require municipal sewer service. The City would ultimately recommend connection to City facilities at such time as existing systems fail or in connection with this future development.
- b) Wastewater from the applicant's property has the future option of being treated at the North Treatment Plant which has sufficient capacity to serve this site. The nearest point of connection for the Browning property is located within E Merino St near the Southeast corner of the Patagonia 1 Subdivision which sewer line discharges into the Danskin Lift Station. When connecting to the



sewer system, the applicant will need to abide by any relevant sewer reimbursement policies and agreements and any relevant connection fees.

- c) Applicant must conform to City of Kuna Sewer Master Plan.
- d) For assistance in locating existing facilities and understanding issues associated with connection, please contact the City GIS Manager at 287-1726.

2. Potable Water Needs

- a) The applicant's property to be annexed is presently used under agriculture purposes, has at least one (1) private water system and does not require immediate City service unless the private well is too close to the septic system. The City Engineer recommends connection to City facilities at the commencement of development because facilities are now within 300'.
- b) The nearest point of connection for this property is in an 8-inch water main within E Merino St and E Hubbard Rd. When connecting to the water system, the applicant will need to abide by any relevant water reimbursement policies and agreements and any relevant connection fees.
- c) Improvements necessary to provide adequate fire protection as required by Kuna Fire District will be required of the development.
- d) Applicant must conform to City of Kuna Water Master Plan.
- e) For assistance in locating existing facilities, please contact the City GIS Manager at 287-1726.

3. Pressure Irrigation

- a) The property's irrigation needs are presently served from surface water rights delivered through local canals and from private wells and does not require immediate City service. The applicants' property will need to show how they can maintain surface water rights for proper irrigation or they will need to connect to the City's Pressurized Irrigation system so public potable water is not used for irrigation purposes. The City recommends ultimate connection to City facilities in connection with future development or when facilities are within 300' of the dwelling.
- b) The nearest point of connection for the property is directly adjacent and to the West in an 12-inch pressure irrigation main. When connecting to the pressure irrigation system, the applicant will need to abide by any relevant pressure irrigation reimbursement policies and agreements and any relevant connection fees.
- c) As a condition related to paragraph 3(a), connection to pressure irrigation shall constitute an automatic petition for inclusion in the municipal irrigation system and an agreement to the pooling of this property's water rights for delivery purposes.
- d) Applicant must conform to City of Kuna Irrigation Master Plan.
- e) For assistance in locating existing facilities, please contact the City GIS Manager at 287-1726.

4. Grading and Storm Drainage

The following is not required for annexation but will be required when alteration of surface features is proposed (such as grading or paving) in connection with future land use applications:

- a) Please provide a grading and drainage plan which supports and maintains all upstream drainage rights and all downstream irrigation delivery rights as they presently exist for this property.
- b) If impervious area is increased, please provide a storm water disposal plan acceptable to the City Engineer which accounts for the increased storm water drainage. Please provide detail drawings of

drainage facilities for review. The city relies on the ACHD Storm water policy as guidance for design.

- c) Any increase in quantity or rate of runoff or decrease in quality of runoff from the site compared to historical conditions must be detained, treated and released at rates no greater than historical amounts.
- d) If offsite disposal of storm water in excess of historical rates or conditions is proposed, or disposed at locations different than provided historically, the approval of the affected entities is required.

5. General

- a) With the addition of this property into the corporate limits of Kuna and its potential connection to both potable water and irrigation services, this property will be placing demand not only on constructed facilities but on water rights provided by others. It is the reasonable expectation, in return, that this property transfer to the City at time of connection (ie development) any conveyable water rights by deed and "Change of Ownership" form from IDWR that are presently associated with the property. The domestic water right associated solely with a residence and ½ acre or less is not conveyable. The water right held in trust by an irrigation district is also not conveyable.
- b) A plan approval letter will be required if this project affects any local irrigation districts.
- c) Verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties.
- d) State the vertical datum used for elevations on all drawings.
- e) Provide engineering certification on all final engineering drawings.

6. Inspection Fees

An inspection fee will be required for City inspection of the construction of any **public** water, sewer and irrigation facility associated with this development. The developer will still require a qualified responsible engineer to do sufficient inspection to justly certify to DEQ the project was completed in accordance with approved plans and specifications and to provide accurate as-built drawings to the City. The developer's engineer and the City's inspector are permitted to coordinate inspections as much as possible. The current inspection fee is \$1.00 per lineal foot of sewer, water and pressure irrigation pipe and payment is due and payable prior to City's approval of final construction plans.

7. Right-of-Way

The subject property fronts on existing section line arterial street (Hubbard Road). The following conditions are related to these classified streets and future quarter line classified streets and apply at the time of additional development:

- a) Sufficient half right-of-way on the quarter line and section line for existing and future classified streets should be provided pursuant to City and ACHD standards. The City recommends right-of-way at full width is provided across the entire Hubbard Rd frontage, including proposed out-parcel.
- b) It is recommended new and existing approaches onto the classified streets comply with ACHD approach policies.
- c) It is recommended sidewalk, curb and gutter, street widening and any related storm drainage facilities, consistent with city code and policies, are provided at the time of land-use change or re-development.

8. As-Built Drawings

As-built drawings are required at the conclusion of any public facility construction project and are the responsibility of the developer's engineer. The city may help track changes, but will not be responsible for the finished product. As-built drawings will be required before occupancy or final plat approval is granted.

9. Property Description

- a) The applicant provided a metes and bounds property description of the subject parcel.

We look forward to working with you on this project. If we may be of further assistance, feel free to contact me at 287-1726.

Sincerely,

Michael L. Borzick

Michael L. Borzick
GIS Mapper



CITY OF KUNA
PLANNING & ZONING DEPARTMENT

751 West 4th Street
P.O. Box 13
Kuna, ID 83634
Phone: 208-922-5274
Fax: 208-922-5989
www.kunacity.id.gov

July 24, 2017

John Browning
880 E Hubbard Rd.
Kuna, ID 83634
208.850.4044
firstservicegroup@gmail.com

Completeness Letter

17-04-AN (Annexation) 882 E Hubbard Rd., Kuna, ID 83634 (APN# S1407347180)

Dear John Browning:

On *July 24, 2017*, Kuna's planning and zoning staff finished reviewing the submitted Annexation Application for the parcel referenced above. This letter is to notify you the City will consider the application complete, subject to the following fees being sent to the City. The Planning and Zoning Commission public hearing date for your case is tentatively scheduled for **August 22, 2017**, here at City Hall at 6:00 pm.

The following application fees are requested at this time:

Planning and Zoning Department

Annexation Fee: \$1,200 (base) + (\$30/acre) @ 6.82 acres = \$1,410.00

Engineering Fee: \$100.00

Total Fees Now Due: \$1,510.00 (waived)

***** All fees for this annexation have been waived by the City of Kuna. *****

The site must be posted for the public hearing on or before August 11, 2017, with a 4' X 4' sign, following the guidelines listed in KCC 5-1A-8 to ensure this hearing date is kept. The site must be posted on an ALL – WEATHER signs (and a rigid surface) and shall be viewable from both drive directions (sign must be perpendicular to the road). I would be happy to review the language for the sign, if you would like it reviewed.

The posting must be photographed and a statement confirming the posting must be *notarized* and sent in to our office within *three days* of the site posting. The sign must be *removed* within three days after the hearing is held.

If you have any questions regarding this information, please contact me at 922.5274 or by e-mail at jhellman@Kunaid.gov.

Respectfully,

Jace Hellman
Planner I
Kuna Planning and Zoning Department

Cc: Wendy Howell, Director of Planning Services

Jace Hellman

From: Jace Hellman
Sent: Wednesday, July 26, 2017 3:06 PM
To: 'IDAHO PRESS TRIBUNE'
Subject: City of Kuna Request for Legal Publication
Attachments: KMN publish Req P&Z.DOCX

Greetings:

We would like to request that you publish the attached legal notification in the ~~August 22nd~~^{2nd} cycle of Kuna Melba News on behalf of the City of Kuna, Planning & Zoning Department.
This notification needs to only be published for one (1) cycle.

The Kuna P.O. for this request is #5897 (if you need it).
Thank you.

Jace Hellman
Planner I
City of Kuna
751 W 4th Street
Kuna, ID 83634
jhellman@kunaID.gov



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CITY OF KUNA
P.O. Box 13 - Kuna, ID 83634
Phone: 922-5274 - Fax: 922-5989

File #17-04-AN (Annexation) John Browning

NOTICE IS HEREBY GIVEN, that the Kuna Planning and Zoning Commission will hold a public hearing, **Tuesday, August 22, 2017 at 6:00 pm**, or as soon as can be heard at Kuna City Hall, 751 W. 4th St., Kuna, ID; in connection with a request from John Browning to annex approximately 6.82 acres into Kuna City limits with an 'R-8' (Residential) zoning designation. The site is located at **882 E Hubbard Road, Kuna, ID 83634** (APN #: S1407347180).

The public is invited to present written and/or oral comments at the hearing. Any written testimony must be received by close of business on August 17, 2017, or it may not be considered. Please mail comments to PO Box 13 Kuna, ID 83634, or drop off at City Hall: 751 W. 4th Street, Kuna, ID.

Please do not contact anyone who would be involved in this decision-making process, which would include the members of the Planning and Zoning Commission, or the Mayor; as such private conversations would be considered ex parte (one sided) and could jeopardize the public hearing process.

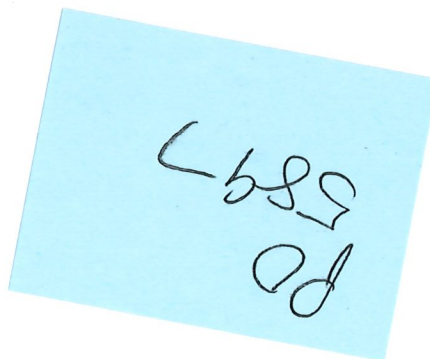
If you have any questions or require special accommodations, please contact the Kuna Planning & Zoning Department prior to the meeting at 922-5274.

Kuna Planning & Zoning Department

(No need to print this portion) Please publish one time on August 2, 2017.

(Sent 7/26/2017)

Kuna P.O. #5897



Jace Hellman

From: Sharon Jessen <sjessen@idahopress.com>
Sent: Thursday, July 27, 2017 9:39 AM
To: Jace Hellman
Subject: Re: City of Kuna Request for Legal Publication

Legals Email First Response

Thank you for your request. You will receive an email confirmation with proof, price and publication dates shortly.

Idaho Press-Tribune, Emmett Messenger-Index, Kuna-Melba News, and Meridian Press-Tribune
Sharon
Legal Clerk
208-465-8129
legals@idahopress.com
8:00am – 12:00pm Monday – Friday

From: Jace Hellman <jhellman@kunalD.gov>
Sent: Wednesday, July 26, 2017 3:06 PM
To: IPT Legals
Subject: City of Kuna Request for Legal Publication

Greetings:

We would like to request that you publish the attached legal notification in the **August 22nd** cycle of Kuna Melba News on behalf of the City of Kuna, Planning & Zoning Department.
This notification needs to only be published for one (1) cycle.

The Kuna P.O. for this request is #5897 (if you need it).
Thank you.

Jace Hellman
Planner I
City of Kuna
751 W 4th Street
Kuna, ID 83634
jhellman@kunalD.gov



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IDAHO PRESS TRIBUNE
MERIDIAN PRESS, KUNA MELBA NEWS
C/O ISJ PAYMENT PROCESSING CENTER
PO BOX 1570
POCATELLO ID 83204
(208)467-9251

ORDER CONFIRMATION

Salesperson: LEGALS

Printed at 07/27/17 09:32 by sje14

Acct #: 345222

Ad #: 1650544

Status: N

1 KUNA, CITY OF
P.O. BOX 13
KUNA ID 83634

Start: 08/02/2017 Stop: 08/02/2017
Times Ord: 1 Times Run: ***
LEG 1.00 X 61.00 Words: 230
Total LEG 61.00
Class: 0006 GOVERNMENT NOTICES
Rate: LG Cost: 50.14
Affidavits: 1

Contact: CHRIS ENGLER
Phone: (208)387-7727
Fax#:
Email: awelker@kunaid.gov; gsmith@k
Agency:

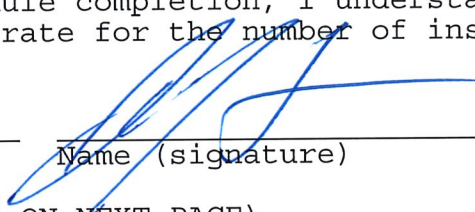
Ad Descrpt: 17-04-AN
Given by: JACE HELLMAN
Created: sje14 07/27/17 09:28
Last Changed: sje14 07/27/17 09:32

PUB ZONE EDT TP START INS STOP SMTWTF
KMN A 96 S 08/02

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Jace Hellman
Name (print or type)


Name (signature)

(CONTINUED ON NEXT PAGE)

IDAHO PRESS TRIBUNE
MERIDIAN PRESS, KUNA MELBA NEWS
C/O ISJ PAYMENT PROCESSING CENTER
PO BOX 1570
POCATELLO ID 83204
(208) 467-9251

ORDER CONFIRMATION (CONTINUED)

Salesperson: LEGALS

Printed at 07/27/17 09:32 by sje14

Acct #: 345222

Ad #: 1650544

Status: N

LEGAL NOTICE

CITY OF KUNA
P.O. Box 13
Kuna, ID 83634
Phone: 922-5274
Fax: 922-5989

File #17-04-AN
(Annexation) John Browning

NOTICE IS HEREBY GIVEN, that the Kuna Planning and Zoning Commission will hold a public hearing, Tuesday, August 22, 2017 at 6:00 pm, or as soon as can be heard at Kuna City Hall, 751 W. 4th St., Kuna, ID; in connection with a request from John Browning to annex approximately 6.82 acres into Kuna City limits with an "R-8" (Residential) zoning designation. The site is located at 882 E Hubbard Road, Kuna, ID 83634 (APN #: S1407347180).

The public is invited to present written and/or oral comments at the hearing. Any written testimony must be received by close of business on August 17, 2017, or it may not be considered. Please mail comments to PO Box 13 Kuna, ID 83634, or drop off at City Hall: 751 W. 4th Street, Kuna, ID.

Please do not contact anyone who would be involved in this decision-making process, which would include the members of the Planning and Zoning Commission, or the Mayor; as such private conversations would be considered ex parte (one sided) and could jeopardize the public hearing process.

If you have any questions or require special accommodations, please contact the Kuna Planning & Zoning Department prior to the meeting at 922-5274.

Kuna Planning
& Zoning Department

August 2, 2017 1650544

looks great

LEGAL NOTICE

CITY OF KUNA
P.O. Box 13
Kuna, ID 83634
Phone: 922-5274
Fax: 922-5989

File #17-04-AN
(Annexation) John Browning

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Kuna Planning
& Zoning Department

August 2, 2017 1650544



CITY OF KUNA
PLANNING & ZONING DEPARTMENT
PO Box 13 • 751 W. 4th St • Kuna, Idaho • 83634
Phone (208) 922-5274 • Fax: (208) 922-5989
www.kunacity.id.gov

Dear Property Owner:

NOTICE IS HEREBY GIVEN that the City of Kuna **Planning and Zoning Commission** is scheduled to hold a public hearing on **August 22, 2017** beginning at 6:00 pm on the following case:

17-04-AN (Annexation): an annexation request by John Browning for an 'R-8' residential zoning designation. The 6.82-acre site is located at 882 East Hubbard Road, Kuna, Idaho 83634 (refer to adjacent map).

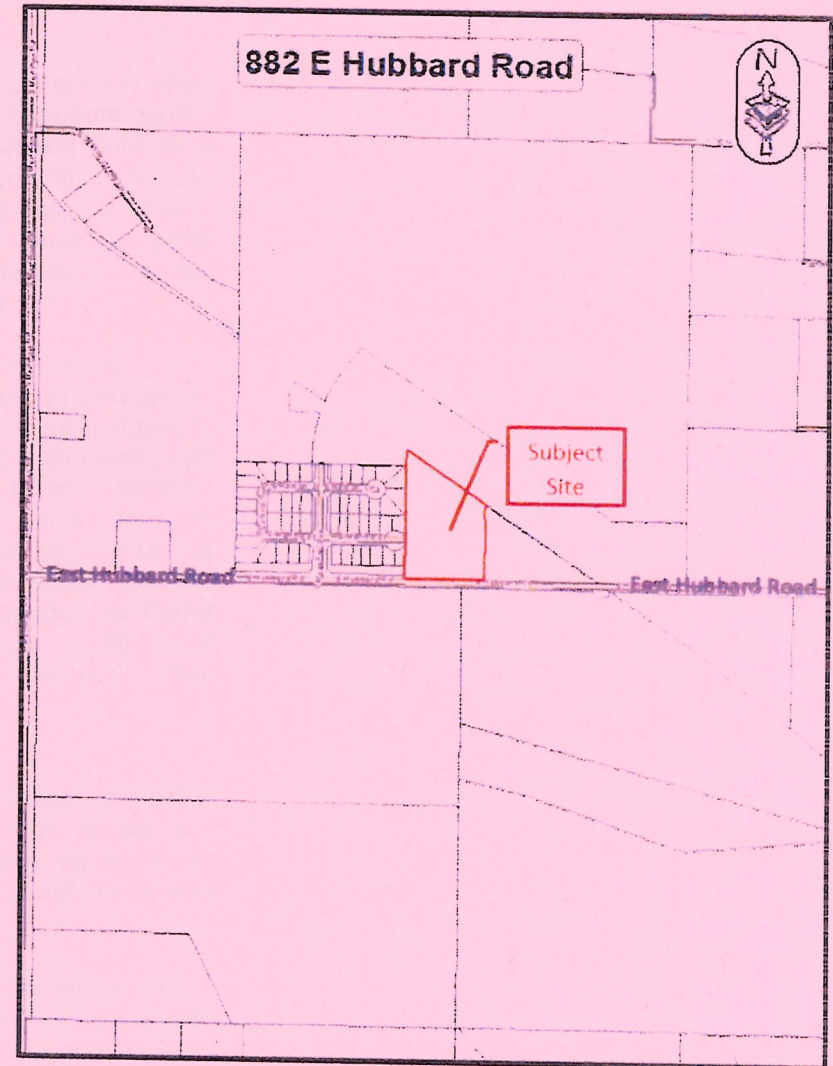
The hearing will be held at **6:00 PM in the Council Chambers at the City Hall located at 751 W. 4th Street, Kuna, Idaho.**

All documents concerning public hearing items may be reviewed at Kuna City Hall, 751 W. 4th Street, Kuna, Idaho, 83634. Office hours are 8:00 am to 5:00 pm, Monday through Friday, except holidays. If you have questions or would like additional information, please contact the Planning and Zoning Division at (208) 922-5274.

You are invited to provide oral or written comments to the Commission at the hearing. Please note that all comments made to the Commission during the public hearing will be restricted to three (3) minutes per person. Prior to the hearing, written comments may be submitted to the appropriate governing body at least seven (7) days prior to the hearing. These comments will be forwarded to the Planning and Zoning Commission.

In all correspondence concerning this case, please refer to the case name: **17-04-AN (Annexation)**

MAILED 8/2/2017



Exhibit

D3



CITY OF KUNA
PLANNING & ZONING DEPARTMENT
PO Box 13 • 751 W. 4th St • Kuna, Idaho • 83634
Phone (208) 922-5274 • Fax: (208) 922-5989
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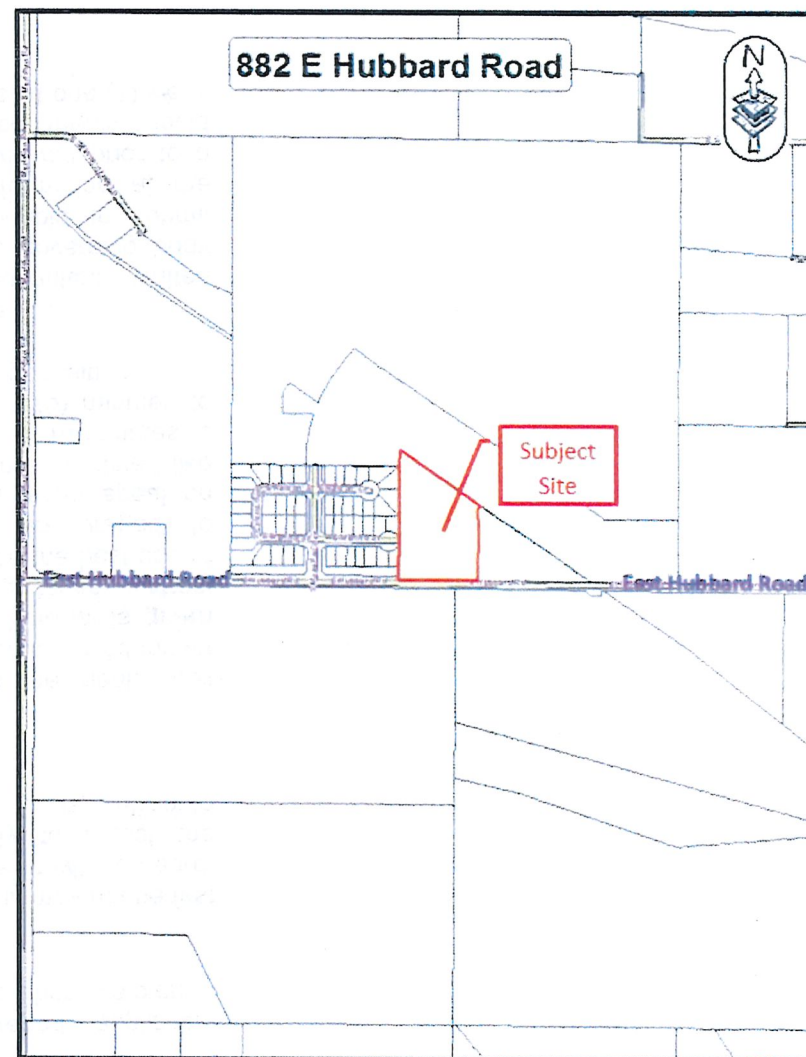
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In all correspondence concerning this case, please refer to the case name: **17-04-AN (Annexation)**

MAILED 8/2/2017



**BERKELEY BUILDING COMPANY INC
PO BOX 5927
BOISE, ID 83705**

**John Browning
880 E HUBBARD RD
KUNA, ID 83634**

**ARBOR RIDGE LLC
P O BOX 344
MERIDIAN, ID 83680**

**Elaine Johnson
2425 N LOCUST GROVE RD
KUNA, ID 83634**

**Madge Koudelka
PO BOX 1564
NAMPA, ID 83653**

**Ronald & Tamara Colbert
590 E RAISON CT
KUNA, ID 83634**

**PATAGONIA DEVELOPMENT LLC
PO BOX 344
MERIDIAN, ID 83680**

**RIVERWOOD HOMES INC
PO BOX 344
MERIDIAN, ID 83680**

**KW HOMES INC
3866 S LAMONE WAY
MERIDIAN, ID 83642**

**STACY CONSTRUCTION INC
1200 E WATERTOWER ST
MERIDIAN, ID 83642**

**STYLISH HOMES LLC
12849 N 12TH AVE
GARDEN CITY, ID 83714**

**SCHROEDER ENTERPRISES
1825 E SPIRIT HAWK LN
KUNA, ID 83634**



City of Kuna PROOF OF PROPERTY POSTING

City of Kuna
P.O. Box 13
Kuna, Idaho 83634

Phone: (208) 922-5274
Fax: (208) 922-5989
Web: www.kunacity.id.gov

This notice shall confirm that the Public Hearing Notice for 882 E Hubbard Rd
(NAME OF SUBDIVISION OR ADDRESS) was posted as required per Kuna City Ordinance
5-1-5B. Sign posted John Adams 8-11-17 (DAY OF THE WEEK, MONTH,
DATE AND YEAR). This form is required to be returned three (3) calendar days
subsequent to posting and signs are to be removed from the site three (3) calendar
days after the hearing.

DATED this 8~~th~~ day of 11, 2017.

Signature, Jake Adams

Owner/Developer

STATE OF IDAHO)
County of Ada) : ss
_____)

On this 11th day of August, 2017, before me the
undersigned, a Notary Public in and for said State, personally appeared before me
(Owner, Developer). Jake Adams

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
the day and year in this certificate first above written.

Dawn Stephens
Notary Public
Residing at Kuna, ID
Commission Expires 1-17-18



CITY OF KUNA PUBLIC HEARING NOTICE

Kuna Planning and Zoning Commission

THE CITY OF KUNA will hold a public hearing on

August 22, 2017 at Kuna City Hall, at 6:00 p.m. (751 W 4th St)

PURPOSE: Annex 6.82 acres into the City of Kuna with an R-8
(Medium Density) Residential Zoning Designation.

APPLICATION BY: John Browning, Kuna, ID

LOCATION: 882 East Hubbard Road, Kuna, ID 83634.

CONTACT: City of Kuna Planner 1 Jace Hellman

208-922-5274.

CITY OF KUNA PUBLIC HEARING NOTICE

Kuna Planning and Zoning Commission

THE CITY OF KUNA will hold a public hearing on
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PURPOSE: Annex 6.82 acres into the City of Kuna with an R-8
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LOCATION: 882 East Hubbard Road, Kuna, ID 83634.

APPLICATION BY: John Browning, Kuna, ID.

CONTACT: City of Kuna Planner 1 Jace Hellman 208-922-5274.



Paul Woods, President
Rebecca W. Arnold, Vice President
Sara M. Baker, Commissioner
Kent Goldthorpe, Commissioner
Jim Hansen, Commissioner

Date: August 29, 2017

(Via email)

To: John Browning
880 E Hubbard Road
Kuna, ID 83634

Subject: Browning Annexation/ KUNA17-0012/ 17-04-AN
882 E Hubbard Road

On August 28, 2017, the Ada County Highway District Commission acted on your application for the above referenced project. The attached report lists site-specific requirements, conditions of approval and street improvements, which are required.

If you have any questions, please feel free to contact me at (208) 387-6171.

Sincerely,

Stacey Yarrington
Planner III
Development Services
Ada County Highway District

CC: Project file
City of Kuna (via email)

Exhibit

B6



Project/File: **Browning Annexation/ KUNA17-0012/ 17-04-AN**
This is an annexation with rezone to R-8 (High density residential) application, located on 6.81-acres.

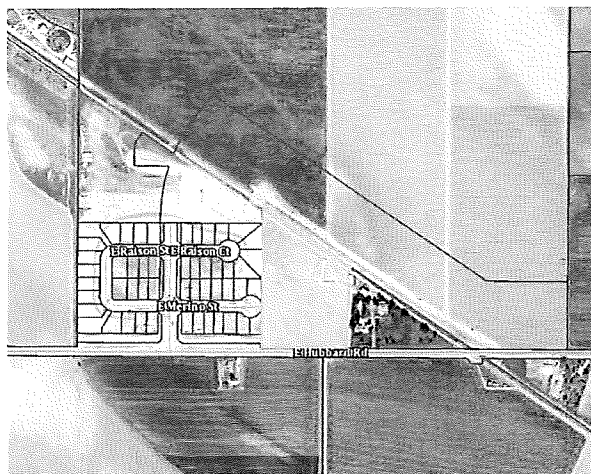
Lead Agency: City of Kuna

Site address: 882 E Hubbard Road

Staff Approval: August 28, 2017

Applicant/ Representative: John Browning
 880 E Hubbard Road
 Kuna, ID 83634

Staff Contact: Stacey Yarrington, Planner III
 Phone: 387-6171
 E-mail: syarrington@achdidaho.org



A. Findings of Fact

- Description of Application:** The applicant is requesting approval of an annexation and rezone from RR (Rural Residential) to R-8 (High density residential). The site is located on 6.81-acres.

The applicant's proposal is consistent with the City of Kuna's Future Land Use Map.

- Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Medium Density Residential	R-6
South	Rural Residential (Ada County)	RR
East	Rural Residential (Ada County)	RR
West	Medium Density Residential	R-6

- Site History:** ACHD has not previously reviewed this site for a development application.
- Adjacent Development:** The following developments are pending or underway in the vicinity of the site:
 - Patagonia, a 470 lot residential subdivision, located adjacent to the site is in various stages of development and was approved by ACHD on October 21, 2014.
- Transit:** Transit services are not available to serve this site.
- Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time.

7. Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):

There are currently no roadways, bridges or intersections in the general vicinity of the project that are currently in the Integrated Five Year Work Plan (IFYWP).

- The intersection of Hubbard Road and SH-69/ Meridian Road is listed in the CIP to be widened to 6-lanes on the north leg, 5-lanes on the south, 4-lanes east, and 3-lanes on the west leg, and signalized between 2031 and 2035.

B. Traffic Findings for Consideration

- 1. Trip Generation:** The trip generation rates listed below are possible trip generators that may be located within the site based on the Institute of Transportation Engineers Trip Generation Manual, 9th edition.

Use (1,000 sf)	Average Daily Trips (ADT)	PM Peak Hour
Apartment (unit)	6.65	0.62
Townhouse (unit)	5.81	0.52
Single Family Detached (unit)	9.52	1.00

2. Condition of Area Roadways

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
**State Highway 69 Meridian Road	0-feet	Principal Arterial	1,359	Better than "E"
Hubbard Road	469-feet	Minor Arterial	301	Better than "E"

* Acceptable level of service for a two-lane minor arterial is "E" (575 VPH).

** ACHD does not set level of service thresholds for State Highways.

3. Average Daily Traffic Count (VDT)

Average daily traffic counts are based on ACHD's most current traffic counts.

- The average daily traffic count for SH-69/ Meridian Road south of Columbia Road was 21,456 on 03/23/17.
- The average daily traffic count for Hubbard Road west of Locust Grove Road was 27 on 10/27/15.

C. Findings for Consideration

This application is for annexation and rezone only. Listed below are some of the findings for consideration that the District may identify when it reviews a future development application. The District may add additional findings for consideration when it reviews a specific redevelopment application.

1. Hubbard Road

- a. **Existing Conditions:** Hubbard Road is improved with 2-travel lanes, 24-feet of pavement, and no curb, gutter or sidewalk abutting the site. There is 50-feet of right-of-way for Hubbard Road (25-feet from section line).

b. **Policy:**

Arterial Roadway Policy: District Policy 7205.2.1 states that the developer is responsible for improving all street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Master Street Map and Typology Policy: District Policy 7205.5 states that the design of improvements for arterials shall be in accordance with District standards, including the Master Street Map and Livable Streets Design Guide. The developer or engineer should contact the District before starting any design.

Street Section and Right-of Way Width Policy: District Policy 7205.2.1 & 7205.5.2 states that the standard 3-lane street section shall be 46-feet (back-of-curb to back-of-curb) within 70 feet of right-of-way. This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

Right-of-Way Dedication: District Policy 7205.2 states that The District will provide compensation for additional right-of-way dedicated beyond the existing right-of-way along arterials listed as impact fee eligible in the adopted Capital Improvements Plan using available impact fee revenue in the Impact Fee Service Area.

No compensation will be provided for right-of-way on an arterial that is not listed as impact fee eligible in the Capital Improvements Plan.

The District may acquire additional right-of-way beyond the site-related needs to preserve a corridor for future capacity improvements, as provided in Section 7300.

Sidewalk Policy: District Policy 7205.5.7 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all arterial streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

Frontage Improvements Policy: District Policy 7205.2.1 states that the developer shall widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site. Curb, gutter and additional pavement widening may be required (See Section 7205.5.5).

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Hubbard Road is designated in the MSM as a Residential Arterial with 3-lanes and on-street bike lanes, a 46-foot street section within 70-feet of right-of-way.

- c. **Staff Comments/Recommendations:** Consistent with the MSM the applicant should be required to dedicate additional right-of-way to total 35-feet from centerline of Hubbard Road

abutting the site. The applicant should be required to construct a 5-foot wide sidewalk located a minimum 32-feet from centerline of Hubbard Road abutting the site. No compensation will be provided for right-of-way on Hubbard Road as it is not listed as impact fee eligible in the CIP.

2. Internal Street

a. **Existing Conditions:** Merino Street is stubbed at the site's west property line.

b. **Policy:**

Local Roadway Policy: District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Street Section and Right-of-Way Policy: District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 50-feet wide and that the standard street section shall be 36-feet (back-of-curb to back-of-curb). The District will consider the utilization of a street width less than 36-feet with written fire department approval.

Standard Urban Local Street—36-foot to 33-foot Street Section and Right-of-way Policy: District Policy 7207.5.2 states that the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot concrete sidewalks on both sides and shall typically be within 50-feet of right-of-way.

The District will also consider the utilization of a street width less than 36-feet with written fire department approval. Most often this width is a 33-foot street section (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size.

Continuation of Streets Policy: District Policy 7207.2.4 states that an existing street, or a street in an approved preliminary plat, which ends at a boundary of a proposed development shall be extended in that development. The extension shall include provisions for continuation of storm drainage facilities. Benefits of connectivity include but are not limited to the following:

- Reduces vehicle miles traveled.
- Increases pedestrian and bicycle connectivity.
- Increases access for emergency services.
- Reduces need for additional access points to the arterial street system
- Promotes the efficient delivery of services including trash, mail and deliveries.
- Promotes appropriate intra-neighborhood traffic circulation to schools, parks, neighborhood commercial centers, transit stops, etc.
- Promotes orderly development.

Sidewalk Policy: District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

Cul-de-sac Streets Policy: District policy 7207.5.8 requires cul-de-sacs to be constructed to provide a minimum turning radius of 45-feet; in rural areas or for temporary cul-de-sacs the emergency service providers may require a greater radius. Landscape and parking islands may be constructed in turnarounds if a minimum 29-foot street section is constructed around the island. The pavement width shall be sufficient to allow the turning around of a standard AASHTO SU design vehicle without backing. The developer shall provide written approval from the appropriate fire department for this design element.

The District will consider alternatives to the standard cul-de-sac turnaround on a case-by-case basis. This will be based on turning area, drainage, maintenance considerations and the written approval of the agency providing emergency fire service for the area where the development is located.

Landscape Medians Policy: District policy 7207.5.16 states that landscape medians are permissible where adequate pavement width is provided on each side of the median to accommodate the travel lanes and where the following is provided:

- The median is platted as right-of-way owned by ACHD.
 - The width of an island near an intersection is 12-feet maximum for a minimum distance of 150-feet. Beyond the 150-feet, the island may increase to a maximum width of 30-feet.
 - At an intersection that is signalized or is to be signalized in the future, the median width shall be reduced to accommodate the necessary turn lane storage and tapers.
 - The Developer or Homeowners Association shall apply for a license agreement if landscaping is to be placed within these medians.
 - The license agreement shall contain the District's requirements of the developer including, but not limited to, a "hold harmless" clause; requirements for maintenance by the developer; liability insurance requirements; and restrictions.
 - Vertical curbs are required around the perimeter of any raised median. Gutters shall slope away from the curb to prevent ponding.
- c. **Staff Comments/Recommendations:** Staff recommends that the applicant continue Merino Street into the site as a 33 or 36-foot street section with curb, gutter, and 5-foot wide sidewalk within 50-feet of right-of-way. The applicant should construct a cul-de-sac at the terminus of the street as there is no planned crossing for the Mason Creek Canal abutting this site. The cul-de-sac should be constructed with a minimum 45-foot wide turning radius.

The applicant should provide written fire department approval for the reduced 33-foot street section if constructed; and the cul-de-sac prior to final plat.

3. Tree Planters

Tree Planter Policy: Tree Planter Policy: The District's Tree Planter Policy prohibits all trees in planters less than 8-feet in width without the installation of root barriers. Class II trees may be allowed in planters with a minimum width of 8-feet, and Class I and Class III trees may be allowed in planters with a minimum width of 10-feet.

4. Landscaping

Landscaping Policy: A license agreement is required for all landscaping proposed within ACHD right-of-way or easement areas. Trees shall be located no closer than 10-feet from all public storm drain facilities. Landscaping should be designed to eliminate site obstructions in the vision triangle at intersections. District Policy 5104.3.1 requires a 40-foot vision triangle and a 3-foot height restriction on all landscaping located at an uncontrolled intersection and a 50-foot offset from stop signs. Landscape plans are required with the submittal of civil plans and must meet all District requirements prior to signature of the final plat and/or approval of the civil plans.

5. Other Access

Hubbard Road is classified as a minor arterial roadway. Other than the access specifically approved with this application, direct lot access is prohibited to these roadways and should be noted on the final plat.

D. Site Specific Conditions of Approval

This application is for annexation and rezone only. The District may add additional findings for consideration when it reviews a specific development application. Site Specific Conditions will be established at that time.

E. Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.

11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

F. Conclusions of Law

1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.
2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted by the proposed development.

G. Attachments

1. Vicinity Map
2. Utility Coordinating Council
3. Development Process Checklist
4. Appeal Guidelines

VICINITY MAP



Ada County Utility Coordinating Council

Developer/Local Improvement District Right of Way Improvements Guideline Request

Purpose: To develop the necessary avenue for proper notification to utilities of local highway and road improvements, to help the utilities in budgeting and to clarify the already existing process.

- 1) **Notification:** Within five (5) working days upon notification of required right of way improvements by Highway entities, developers shall provide written notification to the affected utility owners and the Ada County Utility Coordinating Council (UCC). Notification shall include but not be limited to, project limits, scope of roadway improvements/project, anticipated construction dates, and any portions critical to the right of way improvements and coordination of utilities.
- 2) **Plan Review:** The developer shall provide the highway entities and all utility owners with preliminary project plans and schedule a plan review conference. Depending on the scale of utility improvements, a plan review conference may not be necessary, as determined by the utility owners. Conference notification shall also be sent to the UCC. During the review meeting the developer shall notify utilities of the status of right of way/easement acquisition necessary for their project. At the plan review conference each company shall have the right to appeal, adjust and/or negotiate with the developer on its own behalf. Each utility shall provide the developer with a letter of review indicating the costs and time required for relocation of its facilities. Said letter of review is to be provided within thirty calendar days after the date of the plan review conference.
- 3) **Revisions:** The developer is responsible to provide utilities with any revisions to preliminary plans. Utilities may request an updated plan review meeting if revisions are made in the preliminary plans which affect the utility relocation requirements. Utilities shall have thirty days after receiving the revisions to review and comment thereon.
- 4) **Final Notification:** The developer will provide highway entities, utility owners and the UCC with final notification of its intent to proceed with right of way improvements and include the anticipated date work will commence. This notification shall indicate that the work to be performed shall be pursuant to final approved plans by the highway entity. The developer shall schedule a preconstruction meeting prior to right of way improvements. Utility relocation activity shall be completed within the times established during the preconstruction meeting, unless otherwise agreed upon.

Notification to the Ada County UCC can be sent to: 50 S. Cole Rd. Boise 83707, or Visit iducc.com for e-mail notification information.

Development Process Checklist

Items Completed to Date:

- ☒ Submit a development application to a City or to Ada County
- ☒ The City or the County will transmit the development application to ACHD
- ☒ The ACHD **Planning Review Section** will receive the development application to review
- ☒ The **Planning Review Section** will do one of the following:
 - ☐ Send a **"No Review"** letter to the applicant stating that there are no site specific conditions of approval at this time.
 - ☒ Write a **Staff Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.
 - ☒ Write a **Commission Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.

Items to be completed by Applicant:

- ☐ For **ALL** development applications, including those receiving a **"No Review"** letter:
 - The applicant should submit one set of engineered plans directly to ACHD for review by the **Development Review Section** for plan review and assessment of impact fees. (Note: if there are no site improvements required by ACHD, then architectural plans may be submitted for purposes of impact fee assessment.)
 - The applicant is required to get a permit from Construction Services (ACHD) for ANY work in the right-of-way, including, but not limited to, driveway approaches, street improvements and utility cuts.
- ☐ Pay Impact Fees prior to issuance of building permit. Impact fees cannot be paid prior to plan review approval.

DID YOU REMEMBER:

Construction (Non-Subdivisions)

- ☐ **Driveway or Property Approach(s)**
 - Submit a "Driveway Approach Request" form to ACHD Construction (for approval by Development Services & Traffic Services). There is a one week turnaround for this approval.
- ☐ **Working in the ACHD Right-of-Way**
 - Four business days prior to starting work have a bonded contractor submit a "Temporary Highway Use Permit Application" to ACHD Construction – Permits along with:
 - a) Traffic Control Plan
 - b) An Erosion & Sediment Control Narrative & Plat, done by a Certified Plan Designer, if trench is >50' or you are placing >600 sf of concrete or asphalt.

Construction (Subdivisions)

- ☐ **Sediment & Erosion Submittal**
 - At least one week prior to setting up a Pre-Construction Meeting an Erosion & Sediment Control Narrative & Plan, done by a Certified Plan Designer, must be turned into ACHD Construction to be reviewed and approved by the ACHD Stormwater Section.
- ☐ **Idaho Power Company**
 - Vic Steelman at Idaho Power must have his IPCO approved set of subdivision utility plans prior to Pre-Con being scheduled.
- ☐ **Final Approval from Development Services is required** prior to scheduling a Pre-Con.

Request for Appeal of Staff Decision

1. **Appeal of Staff Decision:** The Commission shall hear and decide appeals by an applicant of the final decision made by the Development Services Manager when it is alleged that the Development Services Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.
 - a. **Filing Fee:** The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.
 - b. **Initiation:** An appeal is initiated by the filing of a written notice of appeal with the Secretary and Clerk of the District, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.
 - c. **Time to Reply:** The Development Services Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal, and may during such time meet with the appellant to discuss the matter, and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.
 - d. **Notice of Hearing:** Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the Development Services Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.
 - e. **Action by Commission:** Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.



City of Kuna

Planning and Zoning - Staff Report

P.O. Box 13
Kuna, ID 83634
Phone: (208) 922-5274
Fax: (208) 922-5989
Kunacity.id.gov

To: Planning and Zoning Commission

Case Number: 17-01-Vac (Vacation)
File Ridge Sub

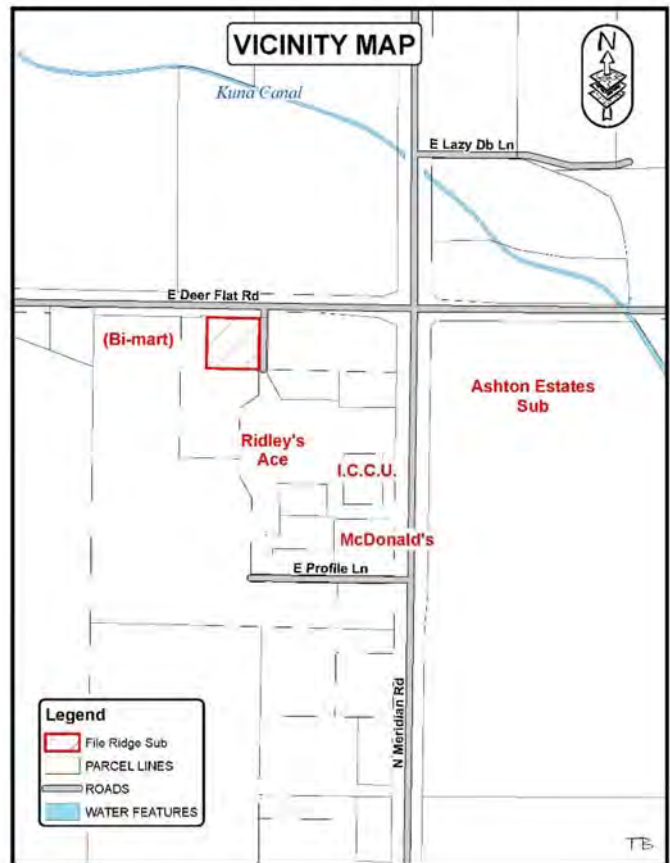
Location: 1550 feet South of Hubbard Road/East of Kay Avenue, Kuna, Idaho 83634

Planner: Troy Behunin, Planner III

Meeting Date: September 12, 2017

Applicant/ Representative: Fox Land Surveys
Aaron Rush
1515 Shoshone St.
Boise ID, 83705
208.342.7957
Arush@foxlandsurveys.com

Owner: CJM LTD. LLP
Donald Mark Ridley
621 Washington St. South
Twin Falls, ID 83301



A. General Project Facts, Staff Analysis:

1. The applicant is requesting approval for Easement Vacation for a portion of the File Ridge Subdivision Final Plat (Bk. 106, pg. 14640 – Ada County Records). The applicant proposes releasing the easements on the east, west, and south sides of Lot 1, block 1, File Ridge final plat, the south easement will remain fully intact (Ada County Assessor Parcel No. R2823300010).
2. In accordance with Idaho State Code (ISC), Vacations regulations, this application seeks partial easement vacation approval for the File Ridge Subdivision. The proposed easement vacation is in substantial conformance with the requirements as listed in ISC; 50-1306(A)(5).

B. Applicable Standards:

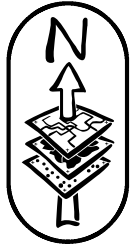
1. Idaho Code, Title 50, Chapter 13, Plats and Vacations [ISC; 50-1306(A)(5)]

C. Staff Analysis:

1. The basis for this request begins with the acquisition of this parcel by CJM LTD, LLP, from Idaho Central Credit Union (ICCU). File Ridge Subdivision was created by ICCU, in 2014. After the File Ridge plat was recorded with the County, CJM LTD, LLP and ICCU orchestrated a land swap/deal, whereby CJM LTD, LLP acquired the File Ridge Subdivision lot from ICCU, while ICCU acquired a lot within the Ridley's Family

Center Subdivision No. 1, where they have since built an ICCU branch. CJM LTD, LLP chose to include File Ridge Subdivision with the forthcoming Ridley's No. 2 final plat, and to re-configure the File Ridge subdivisions only lot through a re-platting process to better fit the development desires of CJM LTD, LLP. When the Ridley's Subdivision No. 2 final plat is brought forth (it has been submitted for review by staff), the plat will include the required easements for all development. However, the easements will simply be placed in different locations, as the re-platting process will create different lot lines. Staff notes that all agencies with an interest in the existing easements have been notified and released their respective interest(s). Staff has determined the proposed easement vacation for the described portions of the File Ridge final plat is in substantial conformance with Idaho State Code, follows the goals and policies of the City of Kuna Comprehensive Plan, while furthering the Council's wishes of adding new commercial development to Kuna, and specifically, the Meridian Road corridor.

VICINITY MAP

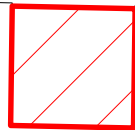


Kuna Canal

E Lazy Db Ln

E Deer Flat Rd

(Bi-mart)



Ashton Estates
Sub

Ridley's
Ace

I.C.C.U.

McDonald's

E Profile Ln

N Meridian Rd

Legend



File Ridge Sub



PARCEL LINES



ROADS



WATER FEATURES





*1515 S. Shoshone St., Boise, ID 83705
Office (208)342-7957 Fax (208)342-7437*

April 17, 2017

Planning & Zoning Department
City of Kuna
751 West 4th Street
Kuna, ID 83634

RE: Vacation Request of Public Utility Easement, File Ridge Subdivision

We have been requested by CJM, LLLP, the owner of Lot 1, Block 1, File Ridge Subdivision (Book 106, Pages 14640-41 of Plats, Ada County Records), to vacate the Five (5) foot wide Public Utilities, Lot Drainage, Sewer, Water, and Irrigation easement created by this plat, and described in Note 2 on the face of said plat. (highlighted in blue on the attached map)

This Lot is being re-platted with adjacent property as Ridley's Subdivision No 2, and like easements will be created along the new lot boundaries and exterior subdivision boundary in accordance with Kuna City Code.

Public utility companies with facilities in the surrounding area have been formally requested to either provide proof of their usage of the easement or else relinquish any vested interest they may have acquired. Responses are attached.

Sincerely,



Aaron Rush, PLS #12464
Fox Land Surveys, Inc.



City of Kuna
Planning & Zoning
Department
P.O. Box 13
Kuna, Idaho 83634
208.922.5274
Fax: 208.922.5989
Website: www.kunacity.id.gov

Commission & Council Review Application

Note: Engineering fees shall be paid by the applicant if required.

*Please submit the appropriate checklist (s) with application

Type of Review (check all that apply):

- ☐ Annexation
- ☐ Appeal
- ☐ Comprehensive Plan Amendment
- ☒ Design Review
- ☐ Development Agreement
- ☐ Final Planned Unit Development
- ☐ Final Plat
- ☐ Lot Line Adjustment
- ☐ Lot Split
- ☐ Planned Unit Development
- ☐ Preliminary Plat
- ☐ Rezone
- ☐ Special Use
- ☐ Temporary Business
- ☐ Vacation
- ☐ Variance

For Office Use Only	
File Number (s)	
Project name	
Date Received	
Date Accepted/ Complete	
Cross Reference Files	
Commission Hearing Date	
City Council Hearing Date	

Contact/Applicant Information

Owners of Record: <u>Ridley's Food Co.</u>	Phone Number: <u>(208) 524-4633</u>
Address: <u>621 Washington St. S.</u>	E-Mail: _____
City, State, Zip: <u>Twin Falls, ID 83301</u>	Fax #: _____
Applicant (Developer): _____	Phone Number: _____
Address: _____	E-Mail: _____
City, State, Zip: _____	Fax #: _____
Engineer/Representative: <u>Jeff Ward</u>	Phone Number: <u>(208) 429-4037</u>
Address: <u>200 Broad Street</u>	E-Mail: <u>Jeff.Ward@CSHRA.com</u>
City, State, Zip: <u>Boise, ID 83702</u>	Fax #: _____

Subject Property Information

Site Address: <u>SWC Deer Flap Rd. and Future Sailer Place</u>	
Site Location (Cross Streets): _____	
Parcel Number (s): <u>51419223151</u>	
Section, Township, Range: <u>Part #351 of GOVT LOT 1+2 SEC. 19 2N 1E #221001-B</u>	
Property size: <u>50.8 acres</u>	
Current land use: <u>Agriculture</u>	Proposed land use: <u>commercial</u>
Current zoning district: _____	Proposed zoning district: _____

Project Description

Project / subdivision name: Ridley's Family Center Subdivision No. 2

General description of proposed project / request: _____

Type of use proposed (check all that apply):

☐ Residential _____

☐ Commercial _____

☐ Office _____

☐ Industrial _____

☐ Other _____

Amenities provided with this development (if applicable): _____

Residential Project Summary (if applicable)

Are there existing buildings? ☐ Yes ☐ No

Please describe the existing buildings: _____

Any existing buildings to remain? ☐ Yes ☐ No

Number of residential units: _____ Number of building lots: _____

Number of common and/or other lots: _____

Type of dwellings proposed:

☐ Single-Family _____

☐ Townhouses _____

☐ Duplexes _____

☐ Multi-Family _____

☐ Other _____

Minimum Square footage of structure (s): _____

Gross density (DU/acre-total property): _____ Net density (DU/acre-excluding roads): _____

Percentage of open space provided: _____ Acreage of open space: _____

Type of open space provided (i.e. landscaping, public, common, etc.): _____

Non-Residential Project Summary (if applicable)

Number of building lots: _____ Other lots: _____

Gross floor area square footage: _____ Existing (if applicable): _____

Hours of operation (days & hours): _____ Building height: _____

Total number of employees: _____ Max. number of employees at one time: _____

Number and ages of students/children: _____ Seating capacity: _____

Fencing type, size & location (proposed or existing to remain): _____

Proposed Parking:

a. Handicapped spaces: _____ Dimensions: _____

b. Total Parking spaces: _____ Dimensions: _____

c. Width of driveway aisle: _____

Proposed Lighting: _____

Proposed Landscaping (berms, buffers, entrances, parking areas, common areas, etc.): _____

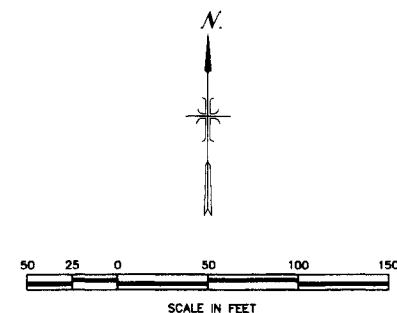
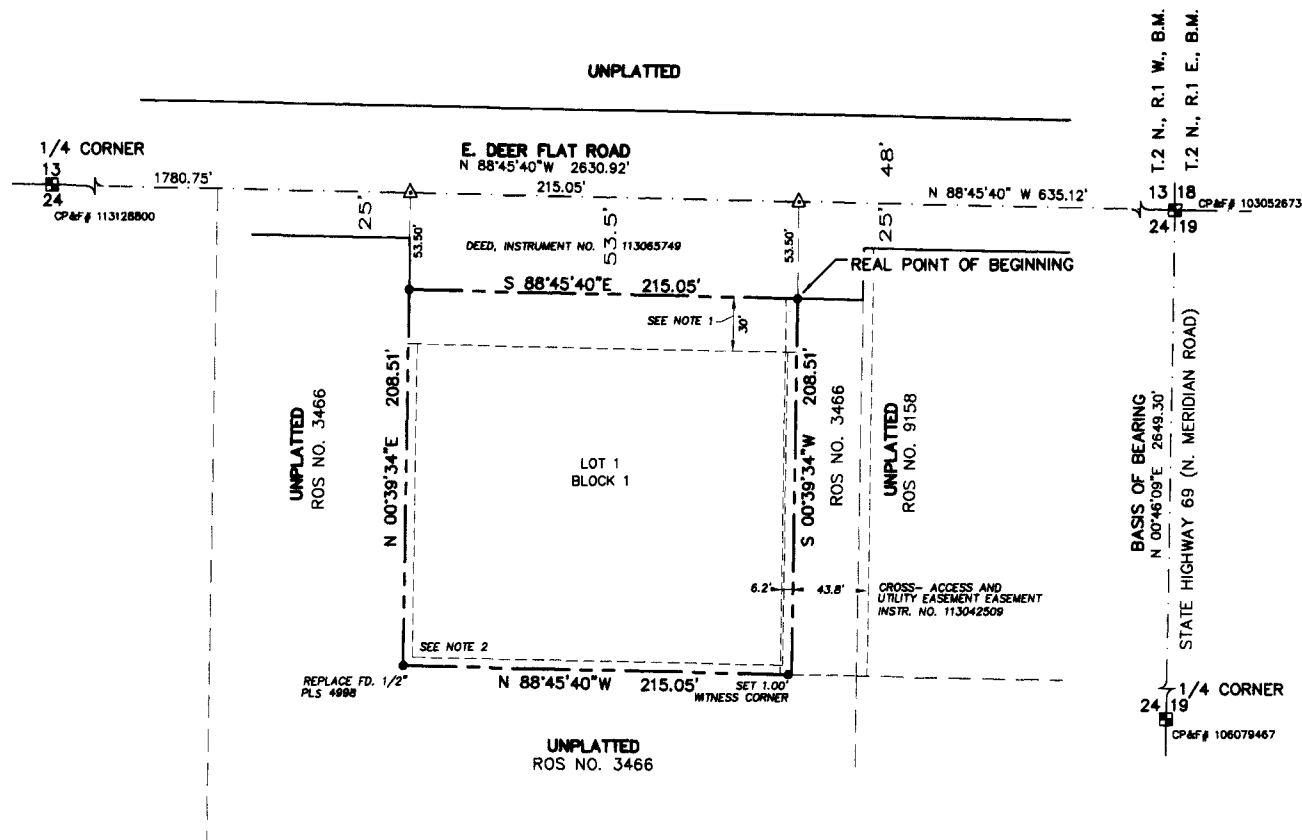
Applicant's Signature: 

Date: 06-26-17

PLAT SHOWING FILE RIDGE SUBDIVISION

BOOK 106 PAGE 14640

A PORTION OF PARCEL B OF RECORD OF SURVEY NO. 8346, ADA COUNTY RECORDS
LOCATED IN THE EAST 1/2 OF THE NE 1/4 OF SECTION 24, T.2N., R.1W., B.M.,
KUNA, ADA COUNTY, IDAHO
2014



LEGEND

- FOUND ALUMINUM CAP MONUMENT
- SET 5/8" X 24" REBAR WITH PLASTIC CAP, PLS 4998
- CALCULATED POINT
- SUBDIVISION BOUNDARY
- RIGHT-OF-WAY LINE
- SECTION LINE
- PARCEL LINE
- EASEMENT LINE

NOTES

- 1.) THERE SHALL BE A PERMANENT EASEMENT FOR LANDSCAPING, PUBLIC UTILITIES, LOT DRAINAGE, SEWER, IRRIGATION AND KUNA CITY STREET LIGHTS OVER THE THIRTY (30) FEET ADJACENT TO E. DEER FLAT ROAD. THIS EASEMENT SHALL NOT PRECLUDE THE CONSTRUCTION OF HARD-SURFACED DRIVEWAYS AND WALKWAYS TO THE LOT.
- 2.) THERE SHALL BE A PERMANENT EASEMENT FOR PUBLIC UTILITIES, LOT DRAINAGE, SEWER, WATER AND IRRIGATION OVER THE FIVE (5) FEET ADJACENT ALL LOT LINES WHICH DO NOT FRONT E. DEER FLAT ROAD.
- 3.) ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.
- 4.) THIS DEVELOPMENT RECOGNIZES IDAHO CODE 22-4503 AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION FACILITY OR EXPANSION THEREOF NOT A NUISANCE-EXCEPTION WHICH STATES: NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITION IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT WAS BEGUN OR CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF.
- 5.) IRRIGATION WATER HAS BEEN PROVIDED FROM THE BOISE-KUNA IRRIGATION DISTRICT, IN COMPLIANCE WITH IDAHO CODE 31-3805(b). THIS LOT WILL BE ENTITLED TO IRRIGATION WATER RIGHTS, AND WILL BE OBLIGATED FOR ASSESSMENTS FROM THE BOISE-KUNA IRRIGATION DISTRICT OR ITS SUCCESSOR. THE OWNER HAS AGREED IN WRITING TO TRANSFER THE SURFACE IRRIGATION WATER TO THE KUNA MUNICIPAL IRRIGATION SYSTEM AND SAID SYSTEM WILL ASSESS THIS LOT AS PROVIDED IN IDAHO CODE 50-1801 THROUGH 50-1835, SEE INSTRUMENT NO. 113112422.
- 6.) MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE APPLICABLE ZONING REGULATIONS OF THE CITY OF KUNA.
- 7.) SEE RECORD OF SURVEY NOS. 3328, 3468, 572, 83461 AND 9158, ADA COUNTY RECORDER'S OFFICE, FOR ADDITIONAL DATA OF RECORD.
- 8.) ACCESS TO THIS LOT FROM E. DEER FLAT ROAD IS LIMITED TO THE CROSS ACCESS EASEMENT AS SHOWN HEREON.
- 9.) THIS DEVELOPMENT IS SUBJECT TO THE CONDITIONS OF A DEVELOPMENT AGREEMENT WITH THE CITY OF KUNA, INSTRUMENT NO. 108073048 AND ANY OTHER CONDITIONS OF DEVELOPMENT.
- 10.) THIS DEVELOPMENT IS SUBJECT TO RESTRICTIVE COVENANTS RECORDED AS INSTRUMENT NO. 108071863.



DEVELOPER:
**IDAHO CENTRAL
CREDIT UNION**
POCATELLO, IDAHO

**WESTBOUND SURVEYING
SERVICES**



BOISE, ID 83705

SHEET 1 of 2
JOB NO. 12-0003

FILE RIDGE SUBDIVISION

CERTIFICATE OF OWNER

KNOWN ALL MEN BY THESE PRESENTS:

THAT IDAHO CENTRAL CREDIT UNION, AN IDAHO CORPORATION, DOES HEREBY CERTIFY THAT IT IS THE OWNER OF THE REAL PROPERTY AS DESCRIBED BELOW AND IT IS ITS INTENTION TO INCLUDE SAID REAL PROPERTY IN THIS SUBDIVISION PLAT. THE OWNER ALSO HEREBY CERTIFIES THAT THIS PLAT COMPLIES WITH IDAHO CODE 50-1334 (2): ALL LOTS IN THIS SUBDIVISION WILL RECEIVE DOMESTIC WATER FROM AN EXISTING WATER SYSTEM AND THE CITY OF KUNA HAS AGREED IN WRITING TO SERVE ALL LOTS IN THIS SUBDIVISION.

A PORTION OF PARCEL B OF RECORD OF SURVEY NO. 8346, ADA COUNTY RECORDS, A PARCEL OF LAND LOCATED IN THE EAST 1/2 OF THE NE 1/4 OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN, KUNA, ADA COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 24, T.2N., R.1W., B.M., THENCE N 88°45'40" W, 635.12 FEET ALONG THE NORTH LINE OF SAID SECTION 24 TO A POINT;
THENCE S 00°39'34" W, 53.50 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF E. DEER FLAT ROAD
THE REAL POINT OF BEGINNING OF THIS SUBDIVISION;

THENCE S 00°39'34" W, 208.51 FEET TO A POINT;

THENCE N 88°45'40" W, 215.05 FEET TO A POINT;

THENCE N 00°39'34" E, 208.51 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF E. DEER FLAT ROAD;

THENCE S 88°45'40" E, 215.05 FEET TO THE REAL POINT OF BEGINNING OF THIS SUBDIVISION.

THIS SUBDIVISION CONTAINS 1.03 ACRES MORE OR LESS:

THE EASEMENTS INDICATED ON SAID PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHT TO USE SAID EASEMENTS IS HEREBY RESERVED FOR PUBLIC UTILITIES AND FOR ANY OTHER USES AS DESIGNATED HEREON, AND NO PERMANENT STRUCTURES ARE TO BE ERRECTED WITHIN THE LINES OF SAID EASEMENTS.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS 17th DAY OF December, 2013

KENT ORAM, CHIEF EXECUTIVE OFFICER
IDAHO CENTRAL CREDIT UNION

KENT ORAM

ACKNOWLEDGMENT

STATE OF IDAHO) ss
COUNTY OF ADA) ss
ON THIS 17th DAY OF December, 2013, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED KENT ORAM, KNOWN OR IDENTIFIED TO ME TO BE THE CHIEF EXECUTIVE OFFICER OF THE CORPORATION THAT EXECUTED THE WITHIN INSTRUMENT OR THE PERSON WHO EXECUTED THE INSTRUMENT ON BEHALF OF SAID CORPORATION, AND ACKNOWLEDGED TO ME THAT SUCH CORPORATION EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.



REBECCA D. HARWOOD
NOTARY PUBLIC FOR
RESIDING AT Ada County, ID
MY COMMISSION EXPIRES: 8-18-2016

CERTIFICATE OF SURVEYOR

I, MICHAEL E. MARKS, P.L.S., DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT, AS DESCRIBED IN THE CERTIFICATE OF OWNERS AND THE ATTACHED PLAT, WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON IN CONFORMITY WITH THE STATE OF IDAHO CODES RELATING TO PLATS, SURVEYS AND THE CORNER PERPETUATION AND FILING ACT, IDAHO CODE 55-1601 THROUGH 55-1612.

MEL
MICHAEL E. MARKS, P.L.S. NO. 4998



APPROVAL OF CITY ENGINEER

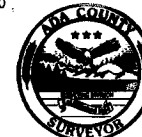
I, THE UNDERSIGNED, CITY ENGINEER IN AND FOR THE CITY OF KUNA, ADA COUNTY, IDAHO, ON THIS 4th DAY OF December, 2013, HEREBY APPROVE THIS PLAT.

Sharon D. Shaw
CITY ENGINEER

CERTIFICATE OF COUNTY SURVEYOR

I, THE UNDERSIGNED, PROFESSIONAL LAND SURVEYOR FOR ADA COUNTY, IDAHO, HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND FIND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

James D. Hastings
COUNTY SURVEYOR
PLS 5359 1-31-2014



ACCEPTANCE OF ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS

THE FOREGOING PLAT WAS ACCEPTED AND APPROVED BY THE BOARD OF ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS ON THE 5th DAY OF June, 2013



John S. Stranahan
CHAIRMAN
ADA COUNTY HIGHWAY DISTRICT

APPROVAL OF CITY COUNCIL

I, THE UNDERSIGNED, CITY CLERK IN AND FOR THE CITY OF KUNA, ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE 7th DAY OF August, 2013, THIS PLAT WAS DULY ACCEPTED AND APPROVED.

Brenda A. Ringham
CITY CLERK, KUNA, IDAHO



CERTIFICATE OF COUNTY TREASURER

I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF ADA, STATE OF IDAHO, PER THE REQUIREMENTS OF IDAHO CODE 50-1308, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND/OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS PROPOSED SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

Vicky McIntyre by Mercedes Ward
COUNTY TREASURER Deputy

2/3/2014
DATE



COUNTY RECORDERS CERTIFICATE

INSTRUMENT NO. 114009150

STATE OF IDAHO)
COUNTY OF ADA) ss

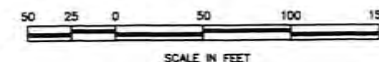
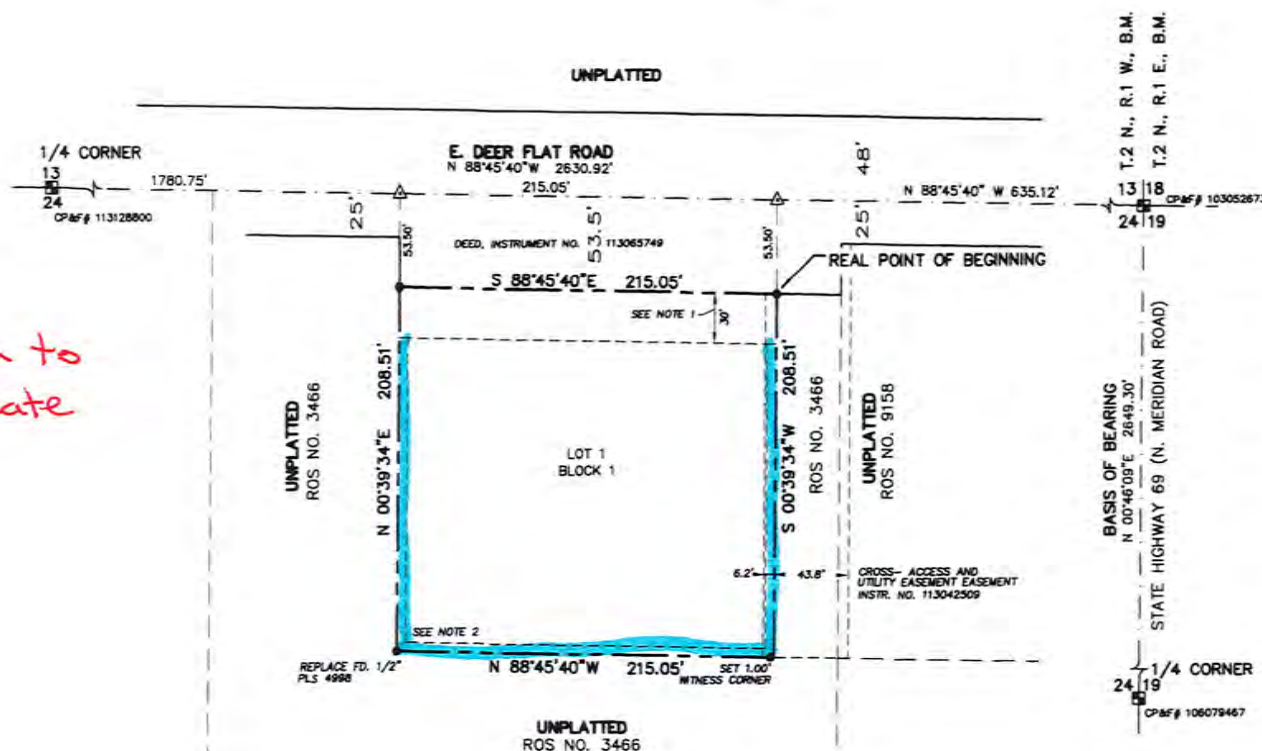
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED AT THE REQUEST OF Idaho Central Credit Union AT 42 MINUTES PAST 9 O'CLOCK A.M., THIS 5 DAY OF February, 2014, IN MY OFFICE AND WAS DULY RECORDED IN BOOK 106 OF PLATS AT PAGES 14690 THROUGH 14641

Bob
DEPUTY

Christopher D. Rich
EX-OFFICIO RECORDER

Fee 1100

A PORTION OF PARCEL B OF RECORD OF SURVEY NO. 8346, ADA COUNTY RECORDS
LOCATED IN THE EAST 1/2 OF THE NE 1/4 OF SECTION 24, T.2N., R.1W., B.M.,
KUNA, ADA COUNTY, IDAHO
2014



	FOUND ALUMINUM CAP MONUMENT
	SET 5/8" X 24" REBAR WITH PLASTIC CAP, PLS 4988
	CALCULATED POINT
	SUBDIVISION BOUNDARY
	RIGHT-OF-WAY LINE
	SECTION LINE
	PARCEL LINE
	EASEMENT LINE

- 1.) THERE SHALL BE A PERMANENT EASEMENT FOR FLOODSCAPING, PUBLIC UTILITIES, LOT DRAINAGE, SEWER, IRRIGATION AND KUNA CITY STREET LIGHTS OVER THE THIRTY (30) FEET ADJACENT TO E. DEER FLAT ROAD, THIS EASEMENT SHALL NOT PRECLUDE THE CONSTRUCTION OF HARD-SURFACED DRIVEWAYS AND WALKWAYS TO THE LOT.
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- 4.) THIS DEVELOPMENT RECOGNIZES IDAHO CODE 22-4503 AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF NOT A NUISANCE-EXCEPTION WHICH STATES: NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITION IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT WAS BEGUN OR WHEN THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF.
- 5.) IRRIGATION WATER HAS BEEN PROVIDED FROM THE BOISE-KUNA IRRIGATION DISTRICT, IN COMPLIANCE WITH IDAHO CODE 31-3805(b), THIS LOT WILL BE ENTITLED TO IRRIGATION WATER RIGHTS, AND WILL BE ELIGIBLE FOR ASSESSMENTS FROM THE BOISE-KUNA IRRIGATION DISTRICT OR ITS SUCCESSOR. THE OWNER HAS AGREED IN WRITING TO TRANSFER THE SURFACE IRRIGATION WATER TO THE KUNA MUNICIPAL IRRIGATION SYSTEM AND SAID SYSTEM WILL ASSESS THIS LOT AS PROVIDED IN IDAHO CODE 50-1801 THROUGH 50-1835, SEE INSTRUMENT NO. 113112422.
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- 7.) SEE RECORD OF SURVEY NOS. 3328, 3466, 572, 63461 AND 9158, ADA COUNTY RECORDER'S OFFICE, FOR ADDITIONAL DATA OF RECORD.
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- 10.) THIS DEVELOPMENT IS SUBJECT TO RESTRICTIVE COVENANTS RECORDED AS INSTRUMENT NO. 108071663.



DEVELOPER:
IDAHO CENTRAL
CREDIT UNION
POCATELLO, IDAHO



February 17, 2017

Via E-mail: arush@foxlandsurveys.com

Aaron Rush
Fox Land Surveys
1515 S. Shoshone Street
Boise, Idaho 83705

Re: Relinquishment of the public utility easement areas set forth in File Ridge Subdivision, located in Kuna, Idaho.

Situated in the E½ of the NE ¼ of Section 24, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho.

Dear Aaron:

This is in response to the Relinquishment Application submitted to Idaho Power Company on January 23, 2017, regarding the possible relinquishment of a certain area of platted utility easement located within File Ridge Subdivision, as described in Exhibit A (the "Utility Easement Area").

Idaho Power's review of the relinquishment request indicated that while there are facilities within the general Utility Easement Area, future electrical facilities will be covered through public utility areas established in the new plat for Ridley's Family Center Subdivision No. 2.

Thank you once again for providing Idaho Power Company the opportunity to review and comment upon the subject petition for relinquishment. Kindly provide our office with a copy of the newly recorded plat for Ridley's Family Center Subdivision No. 2 once complete.

Sincerely,



Mary K. Alandt
Associate Real Estate Specialist
Land Management and Permitting Department
(208) 388-2699
malandt@idahopower.com



1515 S. Shoshone St., Boise, ID 83705
Office (208)342-7957

January 10, 2017

Dave Rehder
Cable One
8400 Westpark Street
Boise, Idaho 83704

RE: Relinquishment of Easement associated with File Ridge Subdivision

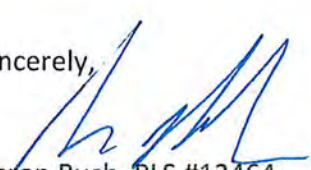
Dear Dave:

We have been requested by CJM LLLP, the owners of Lot 1, Block 1, of File Ridge Subdivision (Bk. 106, Pg. 14640, Instrument No. 114009150, Ada Co. Records), to vacate the easements reserved by the plat for this subdivision and described in Note 1 and Note 2 on the face of the plat (see attached).

File Ridge Subdivision is to be re-platted and included in a new development with the adjacent property. New easements will be reserved that reflect the new development.

The easements created by File Ridge Subdivision are no longer necessary. By signing this document, Cable One relinquishes its' interest in all easements created by the plat of File Ridge Subdivision as referenced above.

Sincerely,



Aaron Rush, PLS #12464
Fox Land Surveys, Inc.



1515 S. Shoshone St., Boise, ID 83705
Office (208)342-7957

Please execute this request by your notarized signature below.

By signing below, you agree to the vacation of the easements reserved by File Ridge Subdivision (Bk. 106, Pg. 14640, Instrument No. 114009150, Ada Co. Records) by and for Cable One, hereby relinquishing all rights in said easement, and certify that you have the vested authority to execute this request in the name of Cable One.

Don Weed Date: 1/24/17
Cable One Representative

STATE OF Idaho

COUNTY OF Canyon

On this 24 day of January, 2017, before me, a notary public in and for said state, personally appeared Don Weed, know to me to be the person who executed this instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Linda M Richardson
Notary Public for Idaho

Residing at Canyon, County
My commission expires: 9/13/2018



1515 S. Shoshone St., Boise, ID 83705
Office (208)342-7957

January 10, 2017

Bryce Ostler
Intermountain Gas Company
555 S. Cole Road
Boise, ID 83709

RE: Relinquishment of Easement associated with File Ridge Subdivision

Dear Bryce:

We have been requested by CJM LLLP, the owners of Lot 1, Block 1, of File Ridge Subdivision (Bk. 106, Pg. 14640, Instrument No. 114009150, Ada Co. Records), to vacate the easements reserved by the plat for this subdivision and described in Note 1 and Note 2 on the face of the plat (see attached).

File Ridge Subdivision is to be re-platted and included in a new development with the adjacent property. New easements will be reserved that reflect the new development.

The easements created by File Ridge Subdivision are no longer necessary. By signing this document, Intermountain Gas relinquishes its' interest in all easements created by the plat of File Ridge Subdivision as referenced above.

Sincerely,

Aaron Rush, PLS #12464
Fox Land Surveys, Inc.



1515 S. Shoshone St., Boise, ID 83705
Office (208)342-7957

Please execute this request by your notarized signature below.

By signing below, you agree to the vacation of the easements reserved by File Ridge Subdivision (Bk. 106, Pg. 14640, Instrument No. 114009150, Ada Co. Records) by and for Intermountain Gas Company, hereby relinquishing all rights in said easement, and certify that you have the vested authority to execute this request in the name of Intermountain Gas Company.

Roger Phillips
Roger Phillips

Date: 1-12-17

STATE OF Idaho)

COUNTY OF Ada)

On this 12 day of January, 2017, before me, a notary public in and for said state, personally appeared Roger Phillips, know to me to be the person who executed this instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Bryce Ostler
Notary Public for Idaho

Residing at Borse, Ada
My commission expires: May 10, 2022



5/3/2017

No Response, No Reservations

Chad Leatherman
Fox Land Surveys
1515 S Shoshone St
Boise ID 83705
208.342.7957

SUBJECT: P787943 N.249262.E.01
Project Name: File Ridge Subdivision public utility easement vacation

Re: Request from Fox Land Surveys to vacate and abandon easements of interest along the south 5', the east 5', the west 5' and the north 30' of lot 1, block 1; File Ridge Subdivision, located south of East Deer Flat Rd, lying within the East ½ of the Northeast 1/4 of Section 24, Township 2 North, Range 1 West, B.M., Ada County, Idaho.

To Whom It May Concern:

QWEST CORPORATION d/b/a CENTURYLINK QC has reviewed the request for the subject vacation and has determined that it has no objections with respect to the areas proposed for vacation.

It is the intent and understanding of CenturyLink that this Vacation shall not reduce our rights to any other existing easement or rights we have on this site or in the area.

This vacation response is submitted WITH THE STIPULATION that if CenturyLink facilities are found within the vacated area as described, the Applicant will relocate the facilities at Applicant's expense and within guidelines set by CenturyLink and all regulating entities. All relocations will be done under the supervision of a CenturyLink Inspector.

Sincerely yours,

A handwritten signature in blue ink that reads "Murkel Mansell".

Murkel Mansell
CenturyLink Network Real Estate
222 W 5 St
Pueblo CO 81003

P787943



City of Kuna
**AFFIDAVIT OF
LEGAL INTEREST**

City of Kuna
P.O. Box 13
Kuna, Idaho 83634

Phone: (208) 922-5274
Fax: (208) 922-5989
Web: www.cityofkuna.com

State of Idaho)
County of Ada)

Donald Mark Ridley / CMLLP 621 Washington St. South
Name Address
Twin Falls Idaho 83301
City State Zip Code

being first duly sworn upon oath, depose and say:

(If Applicant is also Owner of Record, skip to B)

A. That I am the record owner of the property described on the attached, and I grant my
permission to Aaron Rvsh 1515 S. Shoshone St, Boise, ID 83702
Name Address
to submit the accompanying application pertaining to that property.

B. I agree to indemnify, defend and hold City of Kuna and its employees harmless from any
claim or liability resulting from any dispute as to the statements contained herein or as to
the ownership of the property which is the subject of the application.

C. I hereby grant permission to the City of Kuna staff to enter the subject property for the purpose
of site inspections related to processing said application(s).

Dated this 21st day of August, 2017

[Signature]
Signature

Subscribed and sworn to before me the day and year first above written.

Kara Gosnell
Notary Public for Idaho

Residing at: 310 Red Rock Trail, Kimberly, ID 83341

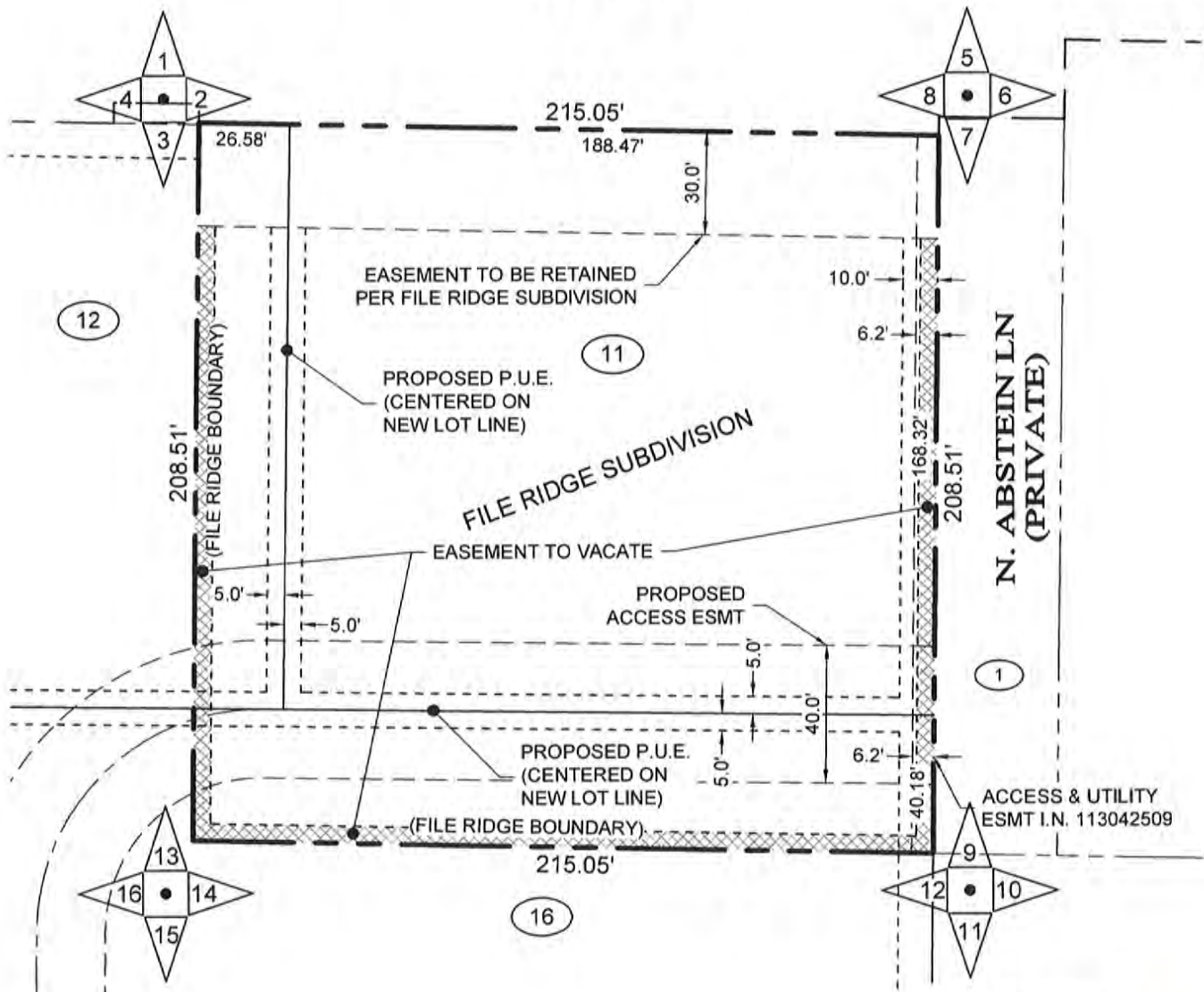
My commission expires: 9/21/17



SITE MAP
FILE RIDGE SUBDIVISION
EASEMENT VACATION

RECEIVED
9/11/2017

E.DEER FLAT RD.
(PUBLIC)



50 25 0 50 100
SCALE: 1"=50'



FOX LAND SURVEYS INC.
(208) 342-7957





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City of Kuna

P.O. Box 13
Phone: (208) 922-5274
Fax: (208) 922-5989
Kunacity.id.gov

Planning & Zoning Commission Staff Report

To: Planning and Zoning Commission

Case Number(s): 17-03-AN (Annex), 17-07-S (Subdivision) & 17-13-DR (Design Review):
Rising Sun Subdivision

Location: South West Corner (SWC) of E Kuna Road and S Stroebel Road, Kuna, Idaho 83634

Planner: Troy Behunin, Planner III

Hearing Date: September 12, 2017

Owner: **Debra Young**
1143 N. 3400 E.
Rigby, ID 83422

Representative: **A Team Land Consultants**
Steve Arnold
1785 S. Whisper Cove Ave.
Boise, ID 83709
208.871.7020
steve@ateamboise.com

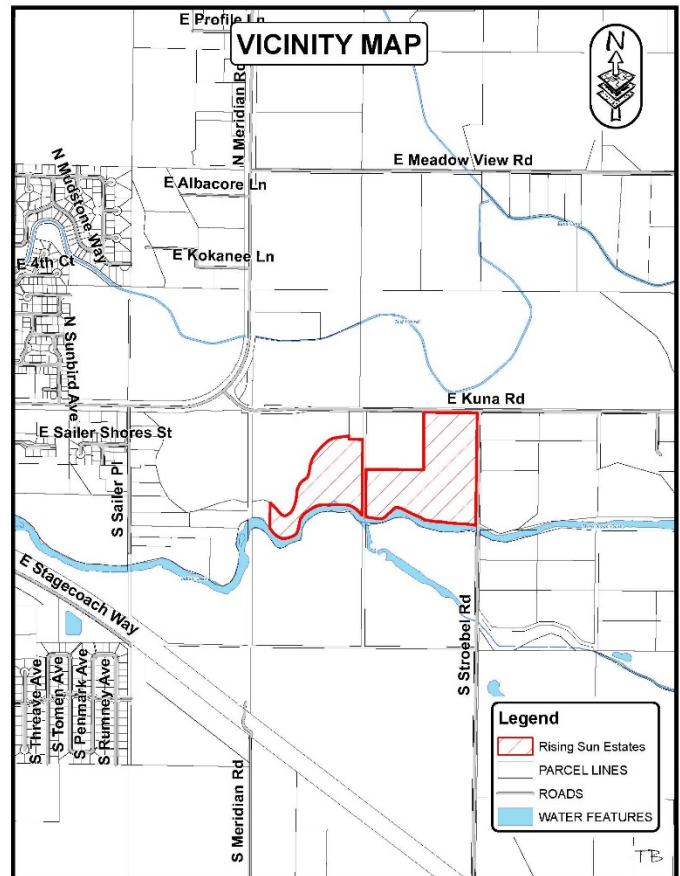


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A. Course of Proceedings

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states that design reviews are designated as *public meetings*, with the Planning and Zoning Commission (acting as the Design Review Board) as the decision-making body; and that annexations and subdivision applications are designated as *public hearings*, with the Planning and Zoning Commission as the recommending body, and City Council as the decision-making body. These land use applications were given proper public notice and have followed the requirements set forth in Idaho Code, Chapter 65, Local Land Use Planning Act (LLUPA).

a. Notifications

- | | |
|---------------------------|---------------------------------------|
| i. Neighborhood Meeting | May 25, 2017 (nine persons attended) |
| ii. Agencies | July 6, 2017 |
| iii. 300' Property Owners | August 18, 2017 |
| iv. Kuna, Melba Newspaper | August 9, 2017 |
| v. Site Posted | September 1, 2017 |

B. Applicant Request:

1. Applicant requests to annex approximately 36.30 acres into Kuna City with an R-4, residential zone, and to subdivide the property into 91 single family residential lots and 5 common lots and have reserved the name Rising Sun Estates Subdivision. A Design Review application for the common areas and buffer landscaping accompanies this application. The site is located at the south west corner of East Kuna and South Stroebel Roads, site address is 2067 E Kuna Road, Kuna, Idaho, In Section 30, T 2N, R 1E, APN #: R0615250650.

2. Site Location Map:



©COPYRIGHTED

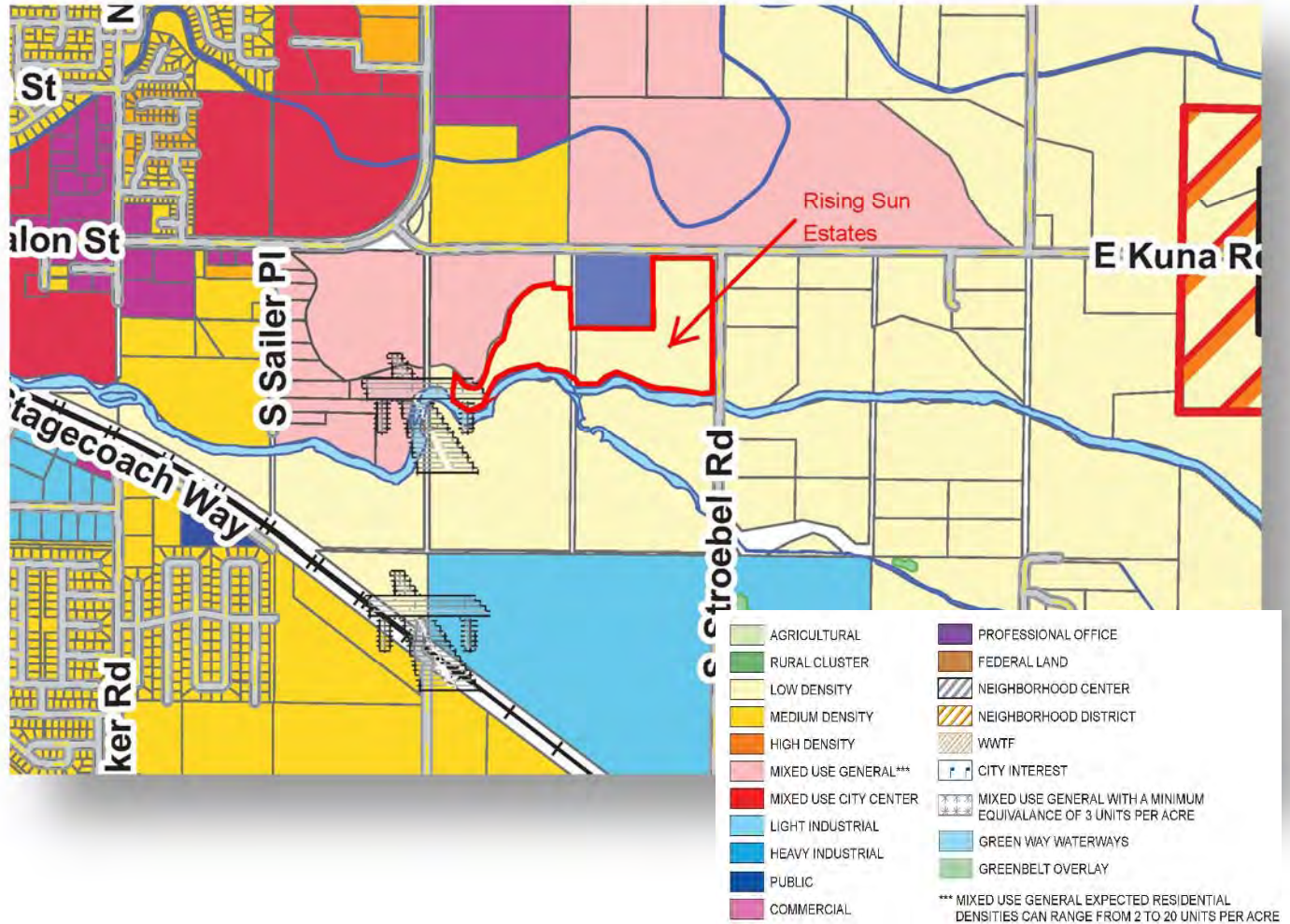
- C. History:** The approximately 36.30-acre subject site is currently in Ada County, however, it is contiguous to Kuna City limits on the north and west portions of the parcel and have historically been used for Agricultural purposes.

D. General Projects Facts:

1. **Comprehensive Plan Designation:** The City of Kuna's Future Land Use Map identifies the subject site as Low Density Residential (2 – 4 Units per acre). Staff views this land use request to be consistent with the approved Future Land Use Map.

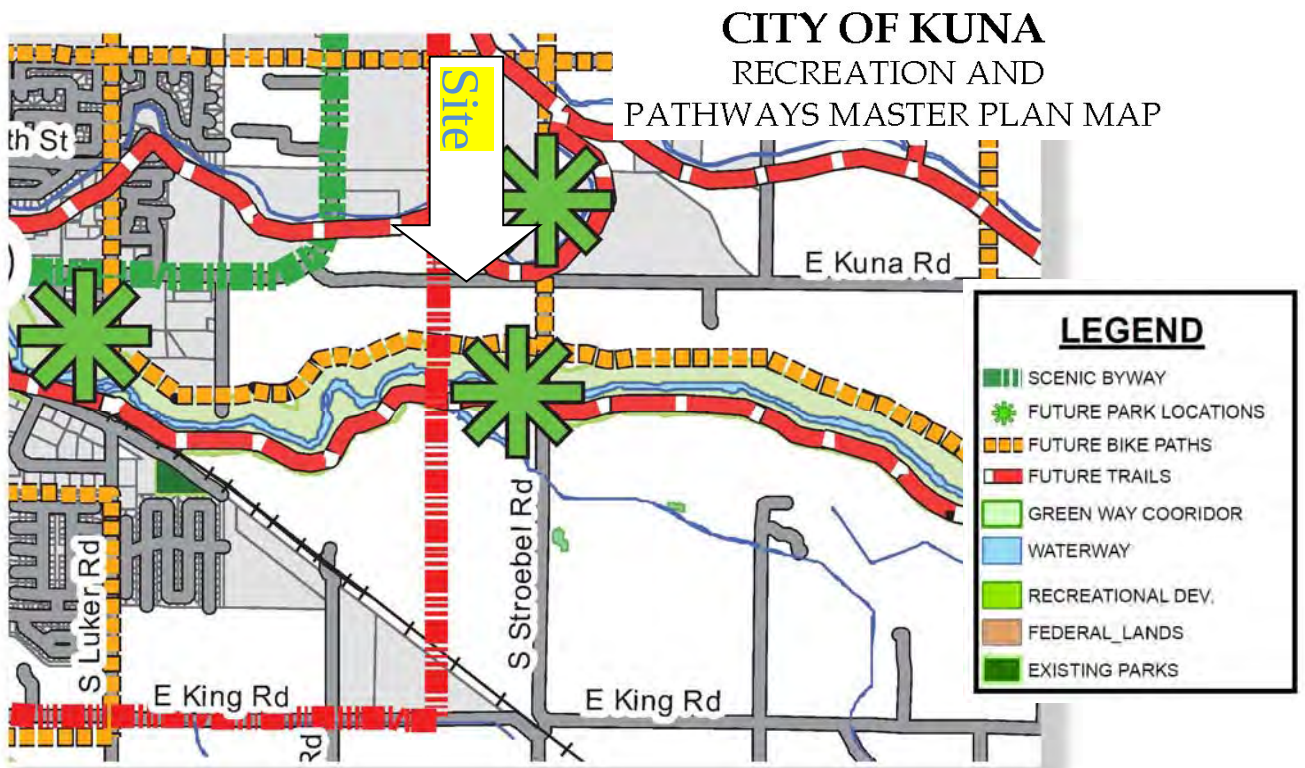
2. **Kuna Comprehensive Plan Future Land Use Map:**

The Kuna Comprehensive Plan Future Land Use Map shown below in conjunction with the map legend indicates that the subject site is designated as Medium Density Residential. The applicant's request is consistent with the Future Land Use Map designation.



3. **Kuna Recreation and Pathways Master Plan Map:**

The Kuna Recreation and Master Pathways Plan map identifies a future trail adjacent to the Kuna Canal waterway as it flows through the subject site. The applicants submitted, proposed landscape plan accommodates this trail designation along the Kuna Canal.



4. **Surrounding Existing Land Uses and Zoning Designations:**

North	M2, RUT, AG	Agriculture – City of Kuna General Industrial & Rural Urban Transition - Ada County
South	RR	Rural Residential – Ada County
East	RUT	Rural Residential – Ada County
West	RUT	Rural Urban Transitional – Ada County

5. **Parcel Sizes, Current Zoning, Parcel Numbers:**

- Approx. 36.30 acres total
- RR (Rural Residential) – Ada County
- Parcel # R0615250650

6. **Services:**

Sanitary Sewer– City of Kuna
 Potable Water – City of Kuna
 Irrigation District – Boise-Kuna Irrigation District
 Pressurized Irrigation – City of Kuna (KMID)
 Fire Protection – Kuna Rural Fire District
 Police Protection – Kuna City Police (Ada County Sheriff's office)
 Sanitation Services – J & M Sanitation

7. **Existing Structures, Vegetation and Natural Features:** Currently there no structures on the subject site. This site slopes slightly to the south, towards Indian Creek, but is otherwise generally flat. Indian Creek flows east to west on the south side of the subject parcel. On-site vegetation consists of vegetation typically associated with agricultural fields.

8. **Transportation / Connectivity:** The applicant proposes to construct a portion of Easter Avenue as a half street section from East Kuna Road to serve the subdivision on the west side within the existing rights-of-way (**ROW**); also, to widen South Stroebel Road from East Kuna Road to the project's eastern entrance and

further south to the projects southern-most frontage. Applicant also proposes four (4) total shared driveways throughout the development that will likely affect 15 home lots.

ITD will require the applicant to prepare and submit a traffic impact study (**TIS**). ACHD will not required a TIS at this time, but does require improvements along the frontages of Kuna and Stroebel Roads, and the existing Eater Avenue ROW.

ACHD recommends a 35-foot wide ROW dedication for Luna Road and ROW as needed for Stroebel Road to accommodate one-half of a 36' roadway improvement, plus additional land for single-lane round about at the intersection of Kuna and Stroebel. Applicant shall improve both classified roads with vertical curb, gutter and sidewalks along with additional requirements listed in the ACHD report dated: July 27, 2017.

There are multiple pedestrian and bicycle pathway connections throughout the development to support alternative transportation choices for residents, and create a more walkable and pedestrian friendly neighborhood environment.

9. **Environmental Issues:** Staff is not aware of any environmental issues, health or safety conflicts. Idaho Department of Environmental Quality (DEQ) has provided recommendations for surface and groundwater protection practices and requirements for development of the site.
10. **Agency Responses:** The following responding agency comments are included as exhibits with this case file:
 - Kuna City Public Works Director (Bob Bachman) – Exhibit B-1
 - Ada County Highway District (ACHD) – Exhibit B-2
 - Boise Project Board of Control – Exhibit B-3
 - Central District Health Department (CDHD) – Exhibit B-4
 - Community Planning Association of Southwest Idaho (COMPASS) – Exhibit B-5
 - Department of Environmental Quality – Exhibit B-6
 - Idaho Transportation Department (ITD) – Exhibit B-7

E. Staff Analysis:

Applicant requests approval to annex approximately 36.30 total acres with a current county zoning designation of Rural Residential (RR) into Kuna City limits with an R-4 (Low Density Residential) zone; and to subdivide the subject property creating a 91 lot, single family subdivision, known as Rising Sun Estates Subdivision. Applicant also proposes to develop five additional lots (including a 13,800 SF pocket park), into common lots for the use by residents. Applicant proposes one of these five common lots to be used by all Kuna residents, and will be developed as a multi-use pathway along Indian Creek, creating an additional segment to the greenbelt system as designated on the Master Recreation and Pathways Map. The pathway is proposed to be built by the developer (See Letter of Intent), and then dedicated to the City. A Homeowners Association (HOA) will be established for the care and maintenance for all other common lots.

The site is eligible for annexation, as it touches current City limits on the north side of the project. The applicant seeks an R-4 (Low Density Residential) zone for the subdivision. Applicant is proposing three (3) phases of development which will largely be driven by the consumer market.

Kuna Code allows for flag lots (KCC 6-4-2-G), however, if not planned for appropriately, they may become a burden to homeowners. These shared driveways appear to serve 15 homes. Staff recommends the applicant follow KCC 6-4-2-G (for flag lots), and provide a perpetual plan/agreement to be recorded with the County, for the maintenance, upkeep and continuous care for the shared driveways as well. If applicant can demonstrate permanent and continuous maintenance and care that may not be dissolved except by City Councils approval, staff has no concerns with the four proposed shared driveways.

Public services will be extended to the property at the developers cost, by extending existing or proposed City facilities. It is anticipated that City sewer will be extended in the future, in part by the City, to the area.

A design review application accompanies the applicant's request for the common area landscaping and buffers. Staff recommends through-connections for pedestrians and non-motorized transportation between home lots for better access to the greenbelt and throughout the subdivision as a whole, as some block lengths are long blocks. Staff notes that a monument sign is called out for the subdivision, but was not included with the design review application, all monument signs are required to go through design review. This process can be accomplished at a later date without any delay to the project. Staff finds that the proposed landscaping does not appear to be compliant for the buffers on Kuna and Stroebel Roads. Staff recommends the applicant be conditioned to become compliant with KCC 5-17-15. Additionally, staff requests that applicant add notes to the landscape plan in order to follow the City's goals and practices for landscaping. Those changes are requested in the proposed conditions of approval – Condition # 12, staff recommends that the applicant resubmit a plan bearing these changes.

Staff has determined these applications comply with Title 5 of the Kuna City Code; Idaho Statute §50-222; and the Kuna Comprehensive Plan; and forwards Case No.'s 17-03-AN, 17-07-S and 17-21-DR, to the Commission with the recommended conditions of approval.

F. Applicable Standards:

1. Kuna City Code Chapter 6 – Chapter 1-6; Subdivision Regulations,
2. Kuna City Code Title 5 – Chapter 1-17; Zoning Regulations,
3. City of Kuna Comprehensive Plan and Future Land Use Map,
4. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act.

G. Procedural Background:

The Commission held a Public Hearing on September 12, 2017, to consider Cases No.'s 17-03-AN, 17-07-S and 17-21-DR, including the submitted application documents, agency comments, staffs report, application exhibits and public testimony presented at the hearing.

H. Factual Summary:

This site is located at the south west corner (SWC) of East Kuna and South Stroebel Roads. Applicant proposes to annex approximately 36.30 acres into the City of Kuna with an R-4 (Low density residential) zone. Applicant has submitted a preliminary plat to subdivide the parcel into 91 buildable lots and 5 common lots, 12% open space, four (4) shared driveways and proposes to improve Kuna and Stroebel Roads to City and ACHD standards.

I. Proposed Comprehensive Plan Analysis:

The comprehensive plan is a living document, intended for use as a guide to governmental bodies. The plan is not law that must be strictly adhered to in the most stringent sense; it is to be used by public officials to assist their decision making for the City. The Kuna Planning and Zoning Commission accepts the Comprehensive Plan components as described:

Goals, Policies and Objectives from the Kuna Comprehensive Plan:

Private Property Rights Goals and Objectives - Section 2 - Summary:

Ensure the City land use policies, restrictions, conditions and fees do not violate private property rights and ensure that land use actions, decisions, and regulations do not effectively eliminate all economic value of the subject property. Ensure that City land use actions, decisions, and regulations do not prevent a private property owner from taking advantage of a fundamental property right and evaluate with guidance from the City attorney and the Idaho Attorney General's six criterion established to determine the potential for property takings.

Comment: Utilizing the Idaho Attorney Generals criteria, and a review by the City Attorney, the proposed project does not constitute a “takings” and the economic value is intact.

Economic Development Goals and Objectives - Section 5 - Summary:

Ensure an adequate supply of housing for all income levels and facilitate pedestrian connections, both visually and physically, to enhance pedestrian movement.

Comment: The proposed application complies with the comprehensive plan by providing a mix of lot sizes, and a pathway / greenbelt to meet this goal.

Land Use Goals and Objectives - Section 6 - Summary:

Adopt a future land use plan and map that includes natural and developed open spaces, while providing a variety of housing densities and types to accommodate various lifestyles, ages and economic groups. Protect existing neighborhoods and ensure new development is sustainable and keeps Kuna desirable. Develop cohesive neighborhoods with character and quality while incorporating a variety of densities and styles.

Comment: The project complies with the land use plan as adopted by the City by incorporating the following; open spaces and utilization of the Indian Creek corridor for a future pathway, varied housing densities and types and promotes desirable, cohesive community character and a quality neighborhood.

Natural Resources Goals and Objectives - Section 7 - Summary:

Retain natural resources that contribute to Kuna’s quality of life while developing a green grid of trails for bikes throughout the City for recreation and alternative transportation needs.

Comment: The proposed application provides pathways through the development as well as a trail along Indian Creek for recreation and alternate transportation modes.

Public Services, Facilities and Utilities Goals and Objectives - Section 8 -Summary:

Provide adequate services, facilities, and utilities for all City residents and annex contiguous properties that request City services. Ensure that development within Kuna connects into the City’s sanitary sewer and potable water systems and continue expansion of the City’s sewer systems as resources allow.

Comment: Kuna has adequate services for this development and the authority to annex the requested lands into the City. This application will expand the City’s sanitary sewer system, potable water and adds to the pressure irrigation mainline in an orderly fashion.

Transportation Goals and Objectives - Section 9 - Summary:

Work with ACHD, COMPASS, and ITD to promote and encourage bicycling and walking as transportation modes. Develop a transportation strategy and identify future transit corridors while requiring developers to preserve rights- of-way, to improve mobility on major routes while balancing land use planning with transportation needs.

Comment: ACHD, COMPASS and the City Public Works Director have provided a report. The project meets with the transportation goals of the City by extending public rights-of-way on East Kuna and South Stroebel Roads to create additional transportation connections.

Recreation Goals and Objectives - Section 10 - Summary:

Ensure a City wide system of parks, trails and recreational opportunities for a variety of year-round outdoor activities balancing active and passive open spaces with easy access for users. Encourage the development of community and neighborhood-centered recreational facilities including gathering places connected by trails, walkways, bikeways and horse paths.

Comment: Applicant's proposed subdivision incorporates trails along Indian Creek, and open spaces for residents, meeting the goals of the City.

Housing Goals and Objectives - Section 12 - Summary:

Encourage developers to provide high-quality development with a variety of lot sizes, dwelling types, densities and price points to meet the needs of current and future population while creating safe and aesthetically-pleasing neighborhoods. Ensure housing is available throughout the community for all income levels and those with special needs. Encourage logical and orderly residential development while discouraging developers from developing land divisions greater than one half acre because large lot subdivisions increase municipal costs, require public subsidy and create sprawl.

Comment: Applicant has proposed 91 single family lots which will contribute to high-quality lots of varied sizes to be developed in a logical and orderly manner. The development adds trails and open space, creating a pleasant neighborhood environment.

Community Design Goals and Objectives - Section 13 - Summary:

Strengthen Kuna's Image through good community and urban design principles that create self-sufficient neighborhoods. Foster good community design concepts that incorporate landscape features to serve as buffers between incompatible uses while reducing scale and create a sense of place.

Comment: The application incorporates sound community design and landscape features to buffer incompatible uses to create a sense of place for the community to foster neighborhood interactions and activities.

J. Proposed Commissions Conclusions of Law:

Based on the evidence contained in Case No's 17-03-AN, 17-07-S and 17-21-DR, the Kuna Planning and Zoning Commission finds Case No's 17-03-AN, 17-07-S and 17-21-DR comply with Kuna City Code, the Kuna Comprehensive Plan and the goals of the Design Review Committee, as proposed or conditioned.

1. This request appears / doesn't appear to be consistent and / or in compliance with Kuna City Code (KCC).

Comment: The proposed project meets the land use and area standards in Chapter 3, Title 5 of KCC. Staff also finds that the proposed project meets all applicable requirements of Title 6 of KCC.

2. The site is / is not physically suitable for a subdivision.

Comment: The 36.30 acre subdivision is large enough to include a mix of lot sizes, community open space(s), pathways and a trail along Indian Creek.

3. The annexation and subdivision uses are / are not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

Comment: The land to be annexed is not used as wildlife habitat. Roads, homes and open spaces are planned for construction according the City requirements and best practices. Staff is not aware of any environmental damage or loss of habitat associated with the proposed development.

4. The annexation and subdivision application is / is not likely to cause adverse public health problems.

Comment: The annexation of the property requires a zoning designation per Kuna Code 5-13-9. The low density zone requires connection to public sewer and water, therefore eliminating the occurrence of adverse public health problems. Through correspondence with public service providers and application evaluation, this project appears to avoid detriment to surrounding uses.

5. The application appears to avoid detriment to the present and potential surrounding uses; to the health, safety, and general welfare of the public taking into account the physical features of the site, public facilities and existing adjacent uses.

Comment: *The annexation, rezone and design of the subdivision did consider the location of the property adjacent to Indian Creek, classified roadways (Kuna and Stroebel Rd.) and the system. The subject property can be connected to the City's public sewer, water and pressure irrigation facilities. The adjacent uses are complimentary uses (Kuna) as proposed in the Kuna Comprehensive Plan Future Land Use Map.*

6. The existing and proposed street and utility services in proximity to the site are suitable and adequate for residential purposes.

Comment: *Correspondence from ACHD and Kuna Public Works confirms that the proposed streets and utility services are suitable and adequate for this residential project. ACHD confirms that the proposed streets within and adjacent to the subdivision are adequate for the proposed development.*

K. Proposed Commission Findings of Fact:

Based upon the record in 17-03-AN, 17-07-S and 17-21-DR, including the Comprehensive Plan, Kuna City Code, Staff's report, including the exhibits, and the testimony elicited during the public hearing, the Commission hereby recommends *approval/conditional approval/denial* for Case No's 17-03-AN and 17-07-S, a request for annexation and subdivision preliminary plat to Council, and approves/conditionally approves/denies Case No. 17-21-DR Subdivision Design Review request by the applicant as follows:

The Commission concludes that the Application does/does not comply with the City of Kuna's Zoning regulations (Title 5) of KCC and/or the Subdivision regulations outlined in title 6 of KCC and/or the Landscape Code in title 5.

1. In making a decision regarding the Subdivision application, the Council is to consider Idaho Code §67-6535 (2), which states the following:

The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record.

In addition, Idaho Code §67-6535(2) (a), provides that:

Failure to identify the nature of compliance or noncompliance with express approval standards or failure to explain compliance or noncompliance with relevant decision criteria shall be grounds for invalidation of an approved permit or site-specific authorization, or denial of same, on appeal.

2. The Commission has the authority to *recommend* approval or denial for Case No's 17-03-AN and 17-07-S. On September 12, 2017.
3. The Commission has the authority to *approve / deny* Case No. 17-16-DR. On September 12, 2017, the Commission voted to approve / deny Case No. 17-21-DR.
4. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances to hold a public hearing on September 12, 2017, with the Commission.

L. Proposed Decision by the Commission:

Note: 17-03-AN (Annexation) and 17-07-S (Subdivision): *The proposed motion is to recommend approval, conditional approval, or denial for these requests to City Council. If the Commission wishes to approve or deny specific parts of the requests as detailed in this report, those changes must be specified.*

Note: 17-21-DR (Design Review): *The proposed motion is to approve or deny the design review request. If the Planning and Zoning Commission wishes to approve or deny specific parts of the requests as detailed in the report, those changes must be specified.*

Based on the facts outlined in staff's report and public testimony during the public hearing the Planning and Zoning Commission of Kuna, Idaho, hereby recommends (*approval / conditional approval / denial*) for Case No's 17-03-AN and 17-07-S; annexation and preliminary plat and hereby (*approves / conditionally approves / denies*) 17-21-DR; Design Review (*with or without*) the following conditions of approval:

1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
 - a. The City Engineer shall approve the sewer hook-ups.
 - b. The City Engineer shall approve the drainage and grading plans. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties". No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
 - c. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District is required.
 - d. The *Boise Project and Board of Control* shall approve any modifications to the existing irrigation system.
 - e. Approval from Ada County Highway District shall be obtained and Impact Fees must be paid prior to issuance of any building permit.

A stub street (with utility stubs) shall be extended from the project south of the Kuna Canal to the property east of the project. All public rights-of-way shall be dedicated and constructed to standards of the City, Ada County Highway District, and Idaho Transportation Department. No public street construction may be commenced without the approval and permit from Ada County Highway District and Idaho Transportation Department.

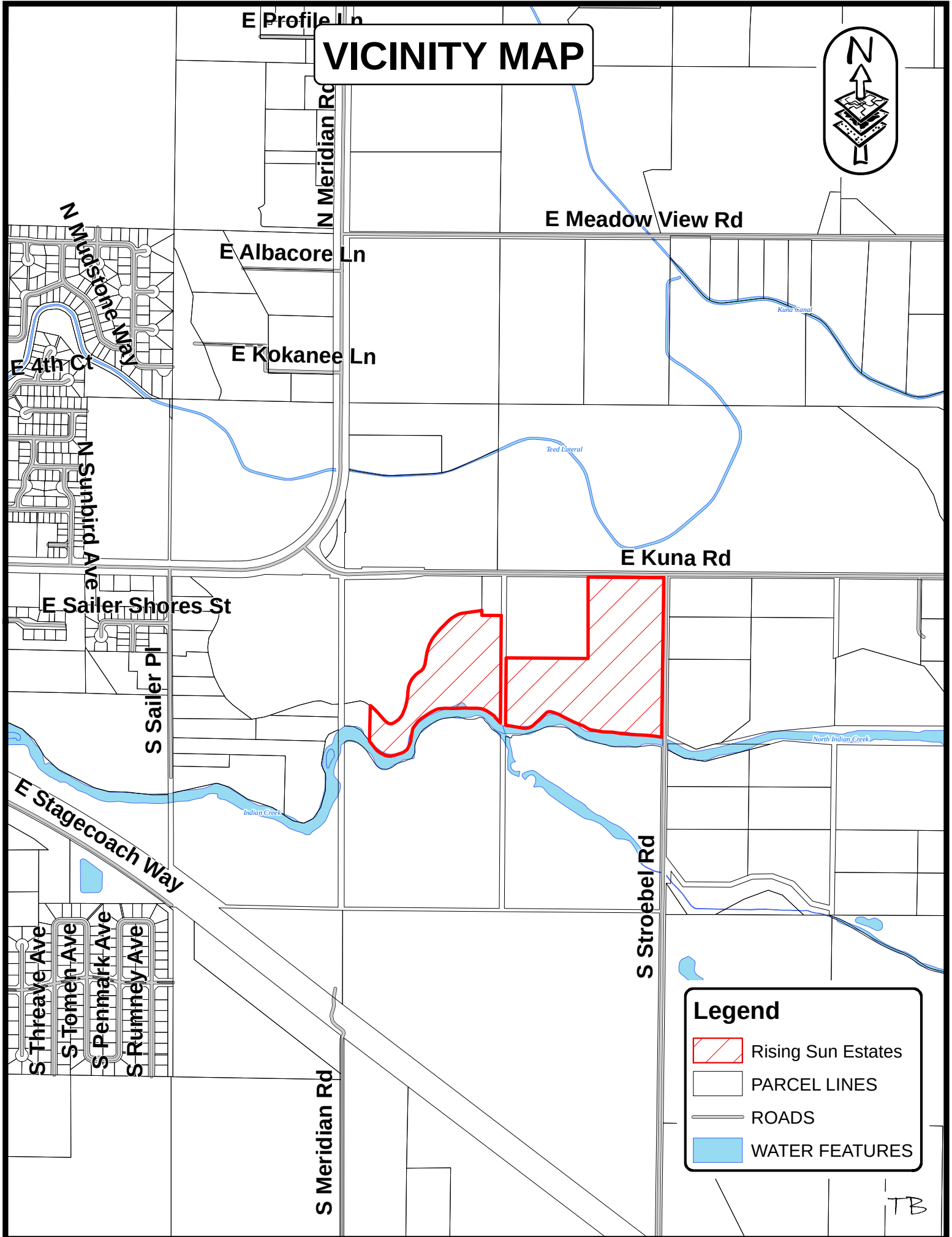
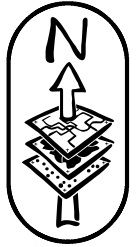
- 2.1– Dedicate right-of-way in sufficient amounts to follow Kuna City and ACHD standards and widths.
2. Installation of utility service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see KCC 6-4-2-W.
3. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
4. Street lighting shall use LED lights, with spacing and wattages meeting KCC 5-4-6; applicant shall coordinate a street light plan for P&Z approval in concert with the prepared construction drawings for the project.
5. Parking within the site shall comply with KCC 5-9-3. A separate Design Review application is required for the community clubhouse and parking lot.
6. Fencing within and around the site shall comply with KCC standards.
7. A sign permit is required prior to any subdivision entrance sign construction and shall comply with KCC 5-10-4. Monument signs will require a separate design review.
8. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within three days or as the planting

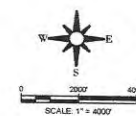
season permits as required to meet KCC 5-17-7 standards. Maintenance and planting within public rights-of-way shall be approved from the public entities owning the property.

9. Submit a petition to the City (if necessary and confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property to the Kuna Municipal Pressure Irrigation system of the City (KMID) prior to requesting final plat signature from the City Engineer.
10. The land owner/applicant/developer and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the Commission and/or Council, or seek amending them through public hearing processes.
11. The applicant's proposed preliminary plat (dated 06/19/17) and landscape plan (dated 06/19/2017) shall be considered binding site plans, or as modified and approved through the public hearing process.
12. Applicant shall add the following notes to the landscape plans and resubmit a plan for Planning and Zoning approved plans, bearing the changes.
 - 12.1 – *Landscape contractor shall remove all twine/ropes and burlap from root balls.*
 - 12.2 – *Landscape contractor shall remove the wire basket from the top 1/2 of the root ball.*
13. Applicant shall add pathways through long blocks to provide better interconnectivity for pedestrian and non-motorized transportation.
14. Applicant shall follow staff, city engineer and other agency recommended requirements as applicable.
15. Applicant shall demonstrate permanent access, maintenance and care for all lots affected by shared driveways as proposed on the preliminary plat bearing the same date as above.
16. Compliance with all local, state and federal laws is required.

DATED: This ____ day of _____, 2017.

VICINITY MAP





DEVELOPER
JOHNSON LANG HOLDINGS, LLC
P.O. BOX 12536
JACKSON, WY 83002-2536

N $\frac{1}{2}$ NW $\frac{1}{4}$ OF SECTION 38, T 2 N, R. 10 W., S. 10 E.
CITY OF KUNA, AGG COUNTY, IDAHO 83634



CJ SHERLOC

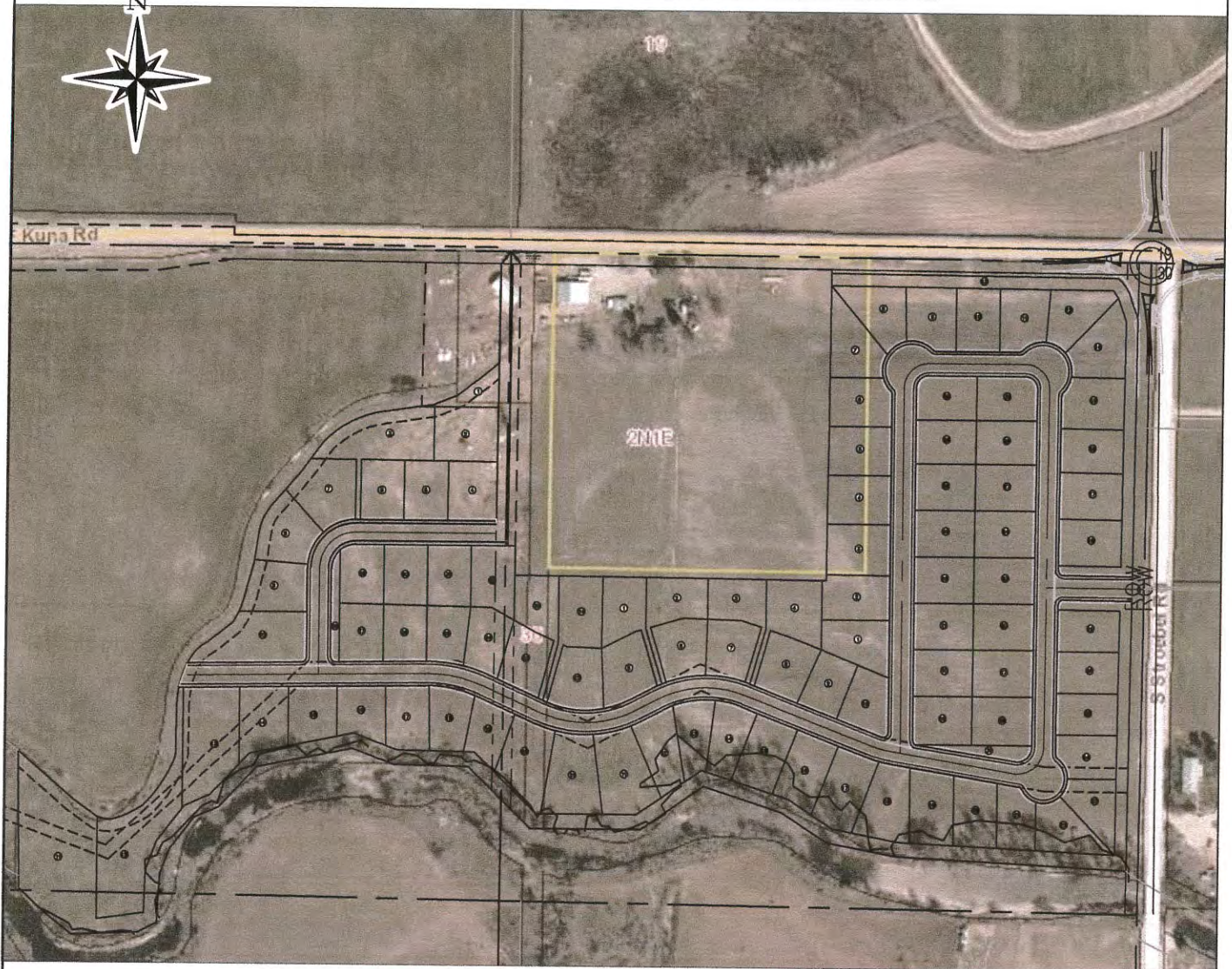
06-16-2017

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6-19-17

Exhibit

A2b

RIISING SUN ESTATES SUBDIVISION



DEVELOPER

**IDAHO LAND HOLDINGS, LLC.
P.O. BOX 12536
JACKSON, WY 83002-2536**

PLANNER / CONTACT

**STEVE ARNOLD
A-TEAM LAND CONSULTANTS
1785 WHISPER COVE AVE.
BOISE, ID 83709 PH. 208-871-7020**

RIISING SUN ESTATES SUBDIVISION

**$N \frac{1}{2}$ NW $\frac{1}{4}$ OF SECTION 30, T 2 N, R. EW., B.M.
CITY OF KUNA, ADA COUNTY, IDAHO 83634**

1" = 4000'



TEAM

Land Development & Real Estate
Services

RECEIVED
6.19.17



June 17, 2017

Mr Trevor Kesner, Planner II
City of Kuna
751 W. 4th Street
Kuna, Idaho 83634

Dear Trevor:

Subject: Rising Sun Estates Subdivision

On behalf of Rising Sun Inc., A Team Land Consultants presents to the City of Kuna, an Annexation, Rezone, and Preliminary Plat application for the proposed Rising Sun Subdivision. The subject property is located at the southwest corner of Strobel Road and Kuna Road. The property contains 36.3 total acres and is identified as Ada County Assessor's Tax Parcel Number R01615250650.

Project Summary

The applicant is proposing 91 single family lots and 5 common lots. The site is currently zoned RR. The applicant is requesting an annexation, rezone and preliminary plat approval. The site consists of larger estate lots that are planned to have higher end homes constructed on them. The lots range from just under 10,000 square feet to nearly $\frac{3}{4}$ of an acre. The developer will be extending the greenbelt pathway along Indian Creek, it will be constructed then donated to the City of Kuna.

Access Roads and Connectivity

Primary access to the proposed development will be off Strobel Road, and a new public street out to Kuna Road via existing right-of-way. The roads within the subdivision will be constructed as public roads, with curbs, gutters, and five foot wide detached sidewalks. All the roadways have been designed so that speeding and cut through traffic will not occur. Block lengths have been broken up and curves and bends have been placed to discourage excessive speeding. There is a proposed stub street to the west of the site to provide inter neighborhood connectivity. A stub street was not provided to the south because Indian Creek borders our southern boundary and a street connection at that location would be cost prohibited.

Proposed Single Family Buildings

In order to protect the quality and value of the homes built in the project and for the continued protection of the Owners thereof, an Architectural Control Committee (ACC)



will be established. No building will be erected without written approval from the ACC. The ACC will require strict architectural controls, monitoring item such as:

1. Exterior paint and trim colors must be approved by the ACC
2. Roofing material must be a 25-year architectural grade composition shingle.
3. The roof and front elevation of the principle residence and garage must have a minimum slope of 5/12.
4. Minimum a floor area of not less than 1,500 square feet if single Level.
5. Front elevations must have a minimum of at least three textures such as, Stucco façade with stone accents or brick, shutters, or different textures in siding.

The intent of the developer is to build a high-end development and monitoring the construction of the homes will ensure this high quality. By building quality homes in the initial phase of the development it will ensure the later phases values will be higher than the initial values; this is building equity by design.

Landscaping and Amenities

There is approximately 4.17 acres of open space being proposed throughout the development. There are 25-foot landscape buffers provided along Kuna and Strobel Roads. City Code requires 20-feet, we are providing the additional buffering to better shelter those homes from road noise. These landscape areas will have extensive planting, berms and fencing. A landscape plan has been prepared in accordance with the City standards. Along the south boundary we are providing a 10-foot pathway along the Indian Creek which will eventually extend east and west of the site, ultimately connecting this site to downtown. That pathway will be located within a 30-40-foot common lot and extensively landscaped. Detached sidewalks are being provided along all the roads within the subdivision, thus giving pedestrian connectivity throughout the development. All of the landscaping will be maintained by a subdivision owner's association. It is the intention of the developer to install landscaping that exceeds the City requirements in order to support the quality of development that is proposed.

Utilities, Irrigation, and Storm Drainage

There is an existing utility easement that runs along this site's southern boundary. That easement is for the future extension of a sewer trunk line from the Orchard lift station to Strobel Road. That extension will provide this site sewer services. Pressure irrigation and potable water is proposed to be extended from SH 69 to this site, approximately 1,000-feet. Dry utilities are adjacent to this site's west and east property line. All utilities will be extended to all proposed building lots. Portions of the common areas will be utilized for storm drain; subsurface seepage beds will dispose of the storm water. All storm drain will be designed to accommodate the 100-year event. During the construction of the site, a storm water pollution prevention plan will be provided and best management practices will be implemented. Pressurized irrigation is proposed to all common areas within this development.

Neighborhood Meetings

There was a neighborhood meeting conducted prior to submitting this application on May 25, 2017. There were several adjacent land owners that showed up to that meeting. The one concern of the neighbors was the location of the roadway connecting to Strobel Road, the concern was headlights and traffic affecting the existing residence. Due to that concern, we relocated the site entrance further to the north so that it did not impact the existing residence. For the most part, the neighbors took the proposed development well.

Vision Statement

Our vision is to promote a high end residential development with strict building criteria governed by our Architectural Control Committee. This site is located next to Indian Creek and a future greenbelt that we will be constructing. That greenbelt and the creek will lend to the construction of a high-end community. There will be entertainment and employment centers in very close proximity to the proposed development. The landscape entrances at the intersection off Strobel and Kuna Roads will create a very esthetic and nice entrance as you enter this site. A pocket park, greenbelt and detached pathways are provided to enhance the livability of this development and promote a sense of being.

The Developers will have a mix of architectural that will provide a varied streetscape. This mix of development product will enhance the subdivision and provide value to the subdivision years after it has been developed. The landscaping and screening will provide the residents of this development a private feel and create a sense of community. This development will enhance the community and the project will be an asset to the City.

It is anticipated that the applications are in compliance with all applicable plans and codes adopted by the City. Please notify us as early as possible if you should need additional clarification or information regarding this application. The proposed development will be a great addition to the City. I look forward to working with the City as this development moves forward in the process.

Sincerely,
A Team Land Consultants

A handwritten signature in blue ink, appearing to read "Steve Arnold".

Steve Arnold
Project & Real Estate Manager

Cc: Dennis Hourany
Ottilia Ballo



City of Kuna
Planning & Zoning
Department
P.O. Box 13
Kuna, Idaho 83634
208.922.5274
Fax: 208.922.5989
Website: www.kunacity.id.gov

Commission & Council Review Application

Note: Engineering fees shall be paid by the applicant if required.

*Please submit the appropriate checklist (s) with application

Type of Review (check all that apply):

- ☒ Annexation
- ☐ Appeal
- ☐ Comprehensive Plan Amendment
- ☐ Design Review
- ☐ Development Agreement
- ☐ Final Planned Unit Development
- ☐ Final Plat
- ☐ Lot Line Adjustment
- ☐ Lot Split
- ☐ Planned Unit Development
- ☒ Preliminary Plat
- ☒ Rezone
- ☐ Special Use
- ☐ Temporary Business
- ☐ Vacation
- ☐ Variance

For Office Use Only	
File Number (s)	17-07-S, 17-03-AN + 17-06-ZC
Project name	Rising Sun Estates
Date Received	6.19.17
Date Accepted/ Complete	
Cross Reference Files	
Commission Hearing Date	
City Council Hearing Date	

Contact/Applicant Information

Owners of Record: <u>Debra Young, Representative</u>	Phone Number: <u>871-7020</u>
Address: <u>1143 N. 3400 E</u>	E-Mail: <u>steve@ateamboise.com</u>
City, State, Zip: <u>Rigby ID 83422</u>	Fax #: <u>401-0977</u>
Applicant (Developer): <u>A Team Land Consultants</u>	Phone Number: <u>321-0525</u>
Address: <u>1785 Whisper Cove Avenue</u>	E-Mail: <u>steve@ateamboise.com</u>
City, State, Zip: <u>Boise, ID. 83709</u>	Fax #: <u>401-0977</u>
Engineer/Representative: <u>A Team Land Consultants</u>	Phone Number: <u>321-0525</u>
Address: <u>1785 S. Whisper Cove Ave</u>	E-Mail: <u>steve@ateamboise.com</u>
City, State, Zip: <u>Boise, Id 83709</u>	Fax #: <u>208-401-0977</u>

Subject Property Information

Site Address: <u>2067 E Kuna Road, Kuna, Id 83634</u>	
Site Location (Cross Streets): <u>Kuna and Strobel Roads</u>	
Parcel Number (s): <u>R0615250650</u>	
Section, Township, Range: <u>Section 30, T.2N, R.1E</u>	
Property size: <u>36.3 acres</u>	
Current land use: <u>Agriculture</u>	Proposed land use: <u>Single Family</u>
Current zoning district: <u>RR</u>	Proposed zoning district: <u>R-4</u>

Exhibit

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Project Description

Project / subdivision name: <u>Rising Sun Estates Subdivision</u>
General description of proposed project / request: <u>A large lot high end community of single family residential homes.</u>
Type of use proposed (check all that apply):
☒ Residential _____
☐ Commercial _____
☐ Office _____
☐ Industrial _____
☐ Other _____
Amenities provided with this development (if applicable): <u>Pocket Park, pathways and greenbelts buffers along Kuna and Strobel Roads</u>

Residential Project Summary (if applicable)

Are there existing buildings? ☐ Yes ☒ No
Please describe the existing buildings: _____
Any existing buildings to remain? ☐ Yes ☒ No
Number of residential units: <u>91</u> Number of building lots: <u>91</u>
Number of common and/or other lots: <u>5</u>
Type of dwellings proposed:
☒ Single-Family <u>91</u>
☐ Townhouses _____
☐ Duplexes _____
☐ Multi-Family _____
☐ Other _____
Minimum Square footage of structure (s): <u>1,500 s.f Single</u>
Gross density (DU/acre-total property): <u>2.5/AC</u> Net density (DU/acre-excluding roads): <u>2.7/AC</u>
Percentage of open space provided: <u>12%</u> Acreage of open space: <u>4.17 AC</u>
Type of open space provided (i.e. landscaping, public, common, etc.): <u>Pocket Park, pathways, Gazebo</u>

Non-Residential Project Summary (if applicable)

Number of building lots: _____	Other lots: _____
Gross floor area square footage: _____	Existing (if applicable): _____
Hours of operation (days & hours): _____	Building height: _____
Total number of employees: _____	Max. number of employees at one time: _____
Number and ages of students/children: _____	Seating capacity: _____
Fencing type, size & location (proposed or existing to remain): _____	
Proposed Parking:	a. Handicapped spaces: _____ Dimensions: _____
	b. Total Parking spaces: _____ Dimensions: _____
	c. Width of driveway aisle: _____
Proposed Lighting: _____	
Proposed Landscaping (berms, buffers, entrances, parking areas, common areas, etc.): _____	

Applicant's Signature: _____ Date: 6/17/17

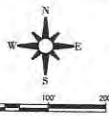
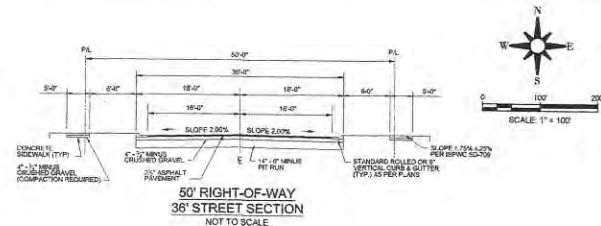
NOTES:

1. KUNA CITY SEWER AND WATER WILL BE EXTENDED TO ALL LOTS.
2. ALL LOTS SHALL HAVE A PERMANENT EASEMENT FOR PUBLIC UTILITIES, STREET LIGHTS, IRRIGATION AND LOT DRAINAGE OVER THE 10 (TEN) FEET ADJACENT TO ANY PUBLIC OR PRIVATE STREET. THERE SHALL BE A 5 (FIVE) FOOT PUBLIC UTILITY, IRRIGATION AND LOT DRAINAGE EASEMENT ADJACENT TO ANY LOT LINE NOT ADJACENT TO PUBLIC OR PRIVATE STREET.
3. MINIMUM BUILDING SETBACK LINES SHALL BE IN ACCORDANCE WITH THE APPLICABLE STANDARDS OF THE CITY OF KUNA AT THE TIME OF ISSUANCE OF THE BUILDING PERMIT.
4. EACH LOT SHALL BE PROVIDED WITH PRESSURIZED IRRIGATION.
5. STORM DRAINAGE SHALL BE RETAINED ON SITE THROUGH SURFACE AND SUBSURFACE FACILITIES AS APPROVED BY AEC.
6. A PORTION OF THE SUBJECT PROPERTY FALLS WITHIN THE FEMA 100 YEAR FLOOD HAZARD ZONE AS SHOWN REFERENCE FIRM PANEL 16001 (CARD), DATED OCTOBER 2, 2003.
7. ALL COMMON LOTS SHALL BE OWNED AND MAINTAINED BY THE RISING SUN ESTATES HOME OWNERS' ASSOCIATION.

PRELIMINARY DEVELOPMENT FEATURES

PARCEL NO'S R0615250550
ADDRESSES 2067 E. KUNA RD.
 KUNA, ID 83854
EXISTING ZONE R-4
PROPOSED ZONE R-4
PROPERTY SIZE 36.305 AC
BUILDABLE LOTS 5
COMMON LOTS 5
DENSITY 2.51
RESIDENTIAL 5
SETBACK 20'
ZONING 19'
BACK 5'
SIDE 5'

SITE DETAILS:
 COMMON LANDSCAPE AREA 4.17 AC
 PAVED PUBLIC STREET AREA 5.70 AC
 PRIVATE DRIVE ISLE AREA 22 AC
 RESIDENTIAL AREA 29.16 AC
 LINEAR STREET LENGTH 5017'



VICINITY MAP

SCALE: 1" = 500'

LEGEND

- 1. SITE BOUNDARY LINE
- 2. LOT LINE
- 3. RIGHT-OF-WAY LINE
- 4. 6" SANITARY SEWER LINE
- 5. WATER LINE
- 6. PRESSURE IRRIGATION LINE
- 7. STORM DRAINAGE RETENTION SYSTEM
- 8. ZONING BOUNDARY
- 9. EXISTING PARCEL/LOT LINE
- 10. ACHD SLOPE EASEMENT LINE
- 11. CENTERLINE
- 12. SECTION LINE
- 13. EXISTING FENCE LINE
- 14. TOP OF WATER LINE
- 15. EXISTING SANITARY SEWER LINE
- 16. EXISTING STORM DRAIN LINE
- 17. EXISTING OVER HEAD POWER LINE
- 18. EXISTING WATER LINE
- 19. EXISTING IRRIGATION LINE
- 20. EXISTING EDGE OF PAVEMENT
- 21. EXISTING EDGE OF CROWN
- 22. EXISTING CURB LINE
- 23. FOUND ALUMINUM CAP MONUMENT
- 24. CALCULATED POINT
- 25. SURVEY CONTROL POINT
- 26. SANITARY SEWER MANHOLE
- 27. STORM DRAIN MANHOLE
- 28. CATCH BASIN
- 29. SURFACE FLOW DIRECTION
- 30. FIRE HYDRANT
- 31. WATER VALVE
- 32. WATER SERVICE
- 33. IRRIGATION VALVE
- 34. WATER METER
- 35. EXISTING LOT NUMBER
- 36. NATURAL GAS LINE MARKER
- 37. TELEPHONE SERVICE RISER
- 38. ELECTRIC TRANFORMER BOX
- 39. SIGNAL JUNCTION BOX
- 40. GUY WIRE ANCHOR
- 41. POWER/UTILITY POLE
- 42. STREET SIGN
- 43. DECIDUOUS TREE
- 44. CONIFEROUS TREE
- 45. MAILBOX
- 46. STREET LIGHT

LINE TABLE			CURVE TABLE		
LINE	BEARING	DISTANCE	CURVE	LENGTH	RADIUS
L1	N 75°41'51" W	144.15	C1	12.35	187.58
L2	N 50°48'53" W	110.79	C2	35.42	38.03
L3	N 72°14'50" W	169.05	C3	66.12	149.51
L4	S 50°44'02" W	157.47	C4	116.76	277.45
L5	S 80°58'46" W	227.37	C5	39.71	46.42
L6	N 40°19'58" W	178.01	C6	91.59	192.42
L7	N 80°16'12" W	93.27	C7	96.48	95.95
L8	N 80°16'14" W	91.26	C8	72.69	215.91
L9	S 78°57'30" W	201.10	C9	53.06	105.54
L10	S 47°43'11" W	114.28	C10	144.55	214.67
L11	S 50°48'53" W	55.29			
L12	S 20°24'11" W	79.52			
L13	S 20°11'11" W	54.91			
L14	S 23°34'46" W	186.21			
L15	S 50°48'53" W	42.84			
L16	S 80°48'53" W	524.59			
L17	N 51°43'11" W	70.12			
L18	N 4°20'38" W	72.74			
L19	N 80°16'12" W	144.03			
L20	N 54°24'21" W	50.42			
L21	S 80°27'30" W	91.96			
L22	S 51°18'37" W	67.26			
L23	S 10°27'37" W	54.06			
L24	S 30°18'15" W	84.63			
L25	S 40°28'30" W	102.56			
L26	S 30°48'53" W	73.39			
L27	S 51°58'11" W	79.23			
L28	N 80°16'12" W	164.55			
L29	N 40°19'58" W	54.79			
L30	N 40°19'58" W	50.80			
L31	N 40°19'58" W	83.34			

SURVEYOR
 COMPASS LAND SURVEYING, PLLC
 3010 E. HENRY AVE.
 SUITE 100
 BOZEMAN, IDAHO 83725
 P.O. BOX 440-0115
 (208) 455-1100

PLANNER / CONTACT
 STEVE ARNOLD
 5-TEAM LAND CONSULTANTS
 1700 WINDFALL DRIVE, SUITE 200
 BOZEMAN, ID 83725
 (208) 455-1100

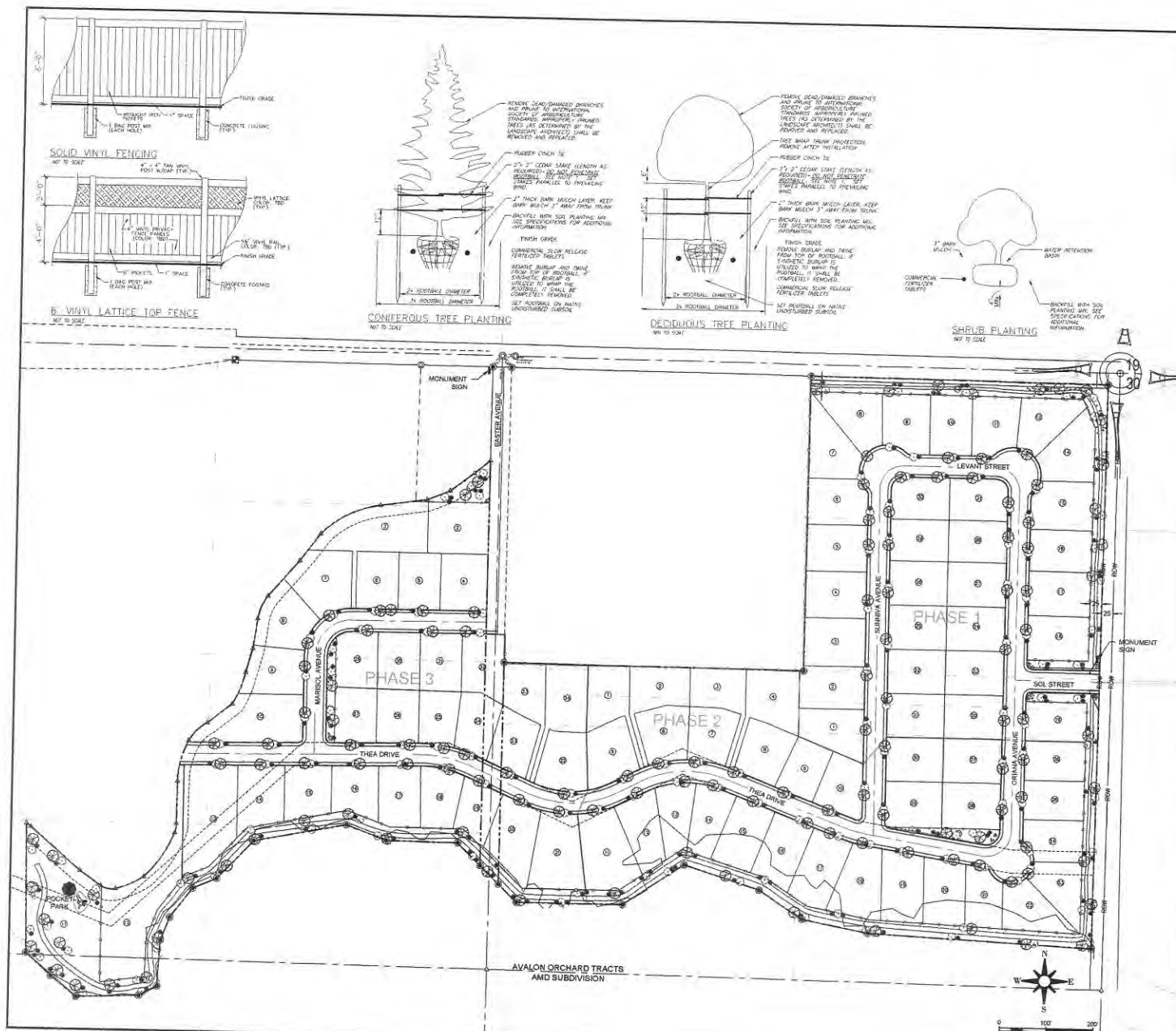
DEVELOPER
 JORDAN LAND HOLDING, LLC
 P.O. BOX 1456
 JACKSON, WY 83002
 PHONE: (307) 413-3303

PRELIMINARY PLAT MAP

RISING SUN ESTATES SUBDIVISION
 1/2 SEC 5 OF SECTION 30, T22 N, R. 6 E, S. 4 E
 CITY OF KUNA, AND COUNTY, IDAHO 83854

5-TEAM
 Surveyors & Real Estate
 SHEET 1 OF 1
 DRAWN BY: J. PERDUE
 DATE: 05-18-2017
 FILE:

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LANDSCAPE & IRRIGATION NOTES

1. Quantities shall be based on landscape architect's calculations which include, but are not limited to, the following:
 - a. All plants shall be installed within the specified planting area.
 - b. All plants shall be installed within the specified planting area.
 - c. All plants shall be installed within the specified planting area.
2. All plants shall be installed within the specified planting area.
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18. All plants shall be installed within the specified planting area.
19. All plants shall be installed within the specified planting area.
20. All plants shall be installed within the specified planting area.

TREE PLANTING NOTES

1. The planting of trees shall be in accordance with the following:
 - a. All trees shall be planted within the specified planting area.
 - b. All trees shall be planted within the specified planting area.
 - c. All trees shall be planted within the specified planting area.
2. All trees shall be planted within the specified planting area.
3. All trees shall be planted within the specified planting area.
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17. All trees shall be planted within the specified planting area.
18. All trees shall be planted within the specified planting area.
19. All trees shall be planted within the specified planting area.
20. All trees shall be planted within the specified planting area.

PLANT SCHEDULE

KEY SYMBOL/ABBREVIATION		PLANTING DATE	CLASS	COMMON BOTANICAL NAME	PLANTING DATE
SET	AA	1" B&B	1	DAIRY BURNING SHrub	2 5/8
	AB	2" B&B	1	DAIRY BURNING SHrub	2 5/8
	AC	3" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	AD	4" B&B	1	DAIRY BURNING SHrub	2 5/8
	AE	5" B&B	1	DAIRY BURNING SHrub	2 5/8
	AF	6" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	AG	7" B&B	1	DAIRY BURNING SHrub	2 5/8
	AH	8" B&B	1	DAIRY BURNING SHrub	2 5/8
	AI	9" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	AJ	10" B&B	1	DAIRY BURNING SHrub	2 5/8
	AK	11" B&B	1	DAIRY BURNING SHrub	2 5/8
	AL	12" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	AM	13" B&B	1	DAIRY BURNING SHrub	2 5/8
	AN	14" B&B	1	DAIRY BURNING SHrub	2 5/8
	AO	15" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	AP	16" B&B	1	DAIRY BURNING SHrub	2 5/8
	AQ	17" B&B	1	DAIRY BURNING SHrub	2 5/8
	AR	18" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	AS	19" B&B	1	DAIRY BURNING SHrub	2 5/8
	AT	20" B&B	1	DAIRY BURNING SHrub	2 5/8
	AU	21" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	AV	22" B&B	1	DAIRY BURNING SHrub	2 5/8
	AW	23" B&B	1	DAIRY BURNING SHrub	2 5/8
	AX	24" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	AY	25" B&B	1	DAIRY BURNING SHrub	2 5/8
	AZ	26" B&B	1	DAIRY BURNING SHrub	2 5/8
	BA	27" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	BB	28" B&B	1	DAIRY BURNING SHrub	2 5/8
	BC	29" B&B	1	DAIRY BURNING SHrub	2 5/8
	BD	30" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	BE	31" B&B	1	DAIRY BURNING SHrub	2 5/8
	BF	32" B&B	1	DAIRY BURNING SHrub	2 5/8
	BG	33" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	BH	34" B&B	1	DAIRY BURNING SHrub	2 5/8
	BI	35" B&B	1	DAIRY BURNING SHrub	2 5/8
	BJ	36" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	BK	37" B&B	1	DAIRY BURNING SHrub	2 5/8
	BL	38" B&B	1	DAIRY BURNING SHrub	2 5/8
	BM	39" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	BN	40" B&B	1	DAIRY BURNING SHrub	2 5/8
	BO	41" B&B	1	DAIRY BURNING SHrub	2 5/8
	BP	42" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	BQ	43" B&B	1	DAIRY BURNING SHrub	2 5/8
	BR	44" B&B	1	DAIRY BURNING SHrub	2 5/8
	BS	45" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	BT	46" B&B	1	DAIRY BURNING SHrub	2 5/8
	BU	47" B&B	1	DAIRY BURNING SHrub	2 5/8
	BV	48" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	BW	49" B&B	1	DAIRY BURNING SHrub	2 5/8
	BX	50" B&B	1	DAIRY BURNING SHrub	2 5/8
	BY	51" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	BZ	52" B&B	1	DAIRY BURNING SHrub	2 5/8
	CA	53" B&B	1	DAIRY BURNING SHrub	2 5/8
	CB	54" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	CC	55" B&B	1	DAIRY BURNING SHrub	2 5/8
	CD	56" B&B	1	DAIRY BURNING SHrub	2 5/8
	CE	57" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	CF	58" B&B	1	DAIRY BURNING SHrub	2 5/8
	CG	59" B&B	1	DAIRY BURNING SHrub	2 5/8
	CH	60" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	CI	61" B&B	1	DAIRY BURNING SHrub	2 5/8
	CJ	62" B&B	1	DAIRY BURNING SHrub	2 5/8
	CK	63" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	CL	64" B&B	1	DAIRY BURNING SHrub	2 5/8
	CM	65" B&B	1	DAIRY BURNING SHrub	2 5/8
	CN	66" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	CO	67" B&B	1	DAIRY BURNING SHrub	2 5/8
	CP	68" B&B	1	DAIRY BURNING SHrub	2 5/8
	CQ	69" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	CR	70" B&B	1	DAIRY BURNING SHrub	2 5/8
	CS	71" B&B	1	DAIRY BURNING SHrub	2 5/8
	CT	72" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	CU	73" B&B	1	DAIRY BURNING SHrub	2 5/8
	CV	74" B&B	1	DAIRY BURNING SHrub	2 5/8
	CW	75" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	CX	76" B&B	1	DAIRY BURNING SHrub	2 5/8
	CY	77" B&B	1	DAIRY BURNING SHrub	2 5/8
	CZ	78" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	DA	79" B&B	1	DAIRY BURNING SHrub	2 5/8
	DB	80" B&B	1	DAIRY BURNING SHrub	2 5/8
	DC	81" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	DD	82" B&B	1	DAIRY BURNING SHrub	2 5/8
	DE	83" B&B	1	DAIRY BURNING SHrub	2 5/8
	DF	84" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	DG	85" B&B	1	DAIRY BURNING SHrub	2 5/8
	DH	86" B&B	1	DAIRY BURNING SHrub	2 5/8
	DI	87" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	DJ	88" B&B	1	DAIRY BURNING SHrub	2 5/8
	DK	89" B&B	1	DAIRY BURNING SHrub	2 5/8
	DL	90" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	DM	91" B&B	1	DAIRY BURNING SHrub	2 5/8
	DN	92" B&B	1	DAIRY BURNING SHrub	2 5/8
	DO	93" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	DP	94" B&B	1	DAIRY BURNING SHrub	2 5/8
	DQ	95" B&B	1	DAIRY BURNING SHrub	2 5/8
	DR	96" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	DS	97" B&B	1	DAIRY BURNING SHrub	2 5/8
	DT	98" B&B	1	DAIRY BURNING SHrub	2 5/8
	DU	99" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	DV	100" B&B	1	DAIRY BURNING SHrub	2 5/8
	EW	101" B&B	1	DAIRY BURNING SHrub	2 5/8
	EX	102" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	EY	103" B&B	1	DAIRY BURNING SHrub	2 5/8
	EZ	104" B&B	1	DAIRY BURNING SHrub	2 5/8
	FA	105" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	FB	106" B&B	1	DAIRY BURNING SHrub	2 5/8
	FC	107" B&B	1	DAIRY BURNING SHrub	2 5/8
	FD	108" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	FE	109" B&B	1	DAIRY BURNING SHrub	2 5/8
	FF	110" B&B	1	DAIRY BURNING SHrub	2 5/8
	FG	111" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	FH	112" B&B	1	DAIRY BURNING SHrub	2 5/8
	FI	113" B&B	1	DAIRY BURNING SHrub	2 5/8
	FJ	114" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	FK	115" B&B	1	DAIRY BURNING SHrub	2 5/8
	FL	116" B&B	1	DAIRY BURNING SHrub	2 5/8
	FM	117" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	FN	118" B&B	1	DAIRY BURNING SHrub	2 5/8
	FO	119" B&B	1	DAIRY BURNING SHrub	2 5/8
	FP	120" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	FQ	121" B&B	1	DAIRY BURNING SHrub	2 5/8
	FR	122" B&B	1	DAIRY BURNING SHrub	2 5/8
	FS	123" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	FT	124" B&B	1	DAIRY BURNING SHrub	2 5/8
	FU	125" B&B	1	DAIRY BURNING SHrub	2 5/8
	FV	126" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	FW	127" B&B	1	DAIRY BURNING SHrub	2 5/8
	FX	128" B&B	1	DAIRY BURNING SHrub	2 5/8
	FY	129" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	FZ	130" B&B	1	DAIRY BURNING SHrub	2 5/8
	GA	131" B&B	1	DAIRY BURNING SHrub	2 5/8
	GB	132" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	GC	133" B&B	1	DAIRY BURNING SHrub	2 5/8
	GD	134" B&B	1	DAIRY BURNING SHrub	2 5/8
	GE	135" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	GF	136" B&B	1	DAIRY BURNING SHrub	2 5/8
	GG	137" B&B	1	DAIRY BURNING SHrub	2 5/8
	GH	138" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	GI	139" B&B	1	DAIRY BURNING SHrub	2 5/8
	GO	140" B&B	1	DAIRY BURNING SHrub	2 5/8
	GP	141" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	GQ	142" B&B	1	DAIRY BURNING SHrub	2 5/8
	GR	143" B&B	1	DAIRY BURNING SHrub	2 5/8
	GS	144" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	GT	145" B&B	1	DAIRY BURNING SHrub	2 5/8
	GU	146" B&B	1	DAIRY BURNING SHrub	2 5/8
	GV	147" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	GW	148" B&B	1	DAIRY BURNING SHrub	2 5/8
	GX	149" B&B	1	DAIRY BURNING SHrub	2 5/8
	GY	150" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	GZ	151" B&B	1	DAIRY BURNING SHrub	2 5/8
	HA	152" B&B	1	DAIRY BURNING SHrub	2 5/8
	HB	153" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	HC	154" B&B	1	DAIRY BURNING SHrub	2 5/8
	HD	155" B&B	1	DAIRY BURNING SHrub	2 5/8
	HE	156" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	HF	157" B&B	1	DAIRY BURNING SHrub	2 5/8
	HG	158" B&B	1	DAIRY BURNING SHrub	2 5/8
	HH	159" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	HI	160" B&B	1	DAIRY BURNING SHrub	2 5/8
	HO	161" B&B	1	DAIRY BURNING SHrub	2 5/8
	HP	162" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	HQ	163" B&B	1	DAIRY BURNING SHrub	2 5/8
	HR	164" B&B	1	DAIRY BURNING SHrub	2 5/8
	HS	165" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	HT	166" B&B	1	DAIRY BURNING SHrub	2 5/8
	HU	167" B&B	1	DAIRY BURNING SHrub	2 5/8
	HV	168" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	HW	169" B&B	1	DAIRY BURNING SHrub	2 5/8
	HX	170" B&B	1	DAIRY BURNING SHrub	2 5/8
	HY	171" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	HZ	172" B&B	1	DAIRY BURNING SHrub	2 5/8
	IA	173" B&B	1	DAIRY BURNING SHrub	2 5/8
	IB	174" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	IC	175" B&B	1	DAIRY BURNING SHrub	2 5/8
	ID	176" B&B	1	DAIRY BURNING SHrub	2 5/8
	IE	177" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	IF	178" B&B	1	DAIRY BURNING SHrub	2 5/8
	IG	179" B&B	1	DAIRY BURNING SHrub	2 5/8
	IH	180" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	II	181" B&B	1	DAIRY BURNING SHrub	2 5/8
	IO	182" B&B	1	DAIRY BURNING SHrub	2 5/8
	IP	183" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	IQ	184" B&B	1	DAIRY BURNING SHrub	2 5/8
	IR	185" B&B	1	DAIRY BURNING SHrub	2 5/8
	IS	186" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	IT	187" B&B	1	DAIRY BURNING SHrub	2 5/8
	IU	188" B&B	1	DAIRY BURNING SHrub	2 5/8
	IV	189" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	IW	190" B&B	1	DAIRY BURNING SHrub	2 5/8
	IX	191" B&B	1	DAIRY BURNING SHrub	2 5/8
	IY	192" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	IZ	193" B&B	1	DAIRY BURNING SHrub	2 5/8
	JA	194" B&B	1	DAIRY BURNING SHrub	2 5/8
	JB	195" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	JC	196" B&B	1	DAIRY BURNING SHrub	2 5/8
	JD	197" B&B	1	DAIRY BURNING SHrub	2 5/8
	JE	198" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	JF	199" B&B	1	DAIRY BURNING SHrub	2 5/8
	JG	200" B&B	1	DAIRY BURNING SHrub	2 5/8
	JH	201" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	JI	202" B&B	1	DAIRY BURNING SHrub	2 5/8
	JO	203" B&B	1	DAIRY BURNING SHrub	2 5/8
	JP	204" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	JQ	205" B&B	1	DAIRY BURNING SHrub	2 5/8
	JR	206" B&B	1	DAIRY BURNING SHrub	2 5/8
	JS	207" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	JT	208" B&B	1	DAIRY BURNING SHrub	2 5/8
	JU	209" B&B	1	DAIRY BURNING SHrub	2 5/8
	JV	210" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	JW	211" B&B	1	DAIRY BURNING SHrub	2 5/8
	JX	212" B&B	1	DAIRY BURNING SHrub	2 5/8
	JY	213" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	JZ	214" B&B	1	DAIRY BURNING SHrub	2 5/8
	KA	215" B&B	1	DAIRY BURNING SHrub	2 5/8
	KB	216" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	KC	217" B&B	1	DAIRY BURNING SHrub	2 5/8
	KD	218" B&B	1	DAIRY BURNING SHrub	2 5/8
	KE	219" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	KF	220" B&B	1	DAIRY BURNING SHrub	2 5/8
	KG	221" B&B	1	DAIRY BURNING SHrub	2 5/8
	KH	222" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	KI	223" B&B	1	DAIRY BURNING SHrub	2 5/8
	KO	224" B&B	1	DAIRY BURNING SHrub	2 5/8
	KP	225" B&B	1	DAIRY BURNING SHrub	2 5/8
CC	KQ	226" B&B	1	DAIRY BURNING SHrub	2 5/8

LANDSCAPE LEGEND

- DECIDUOUS TREE
- CONIFEROUS TREE
- LAWN AREA (SOO)
- SHRUB/PLANTER AREA
- NEW 6" VINYL FENCE
- NEW 6" LATTICE TOP FENCE
- MONUMENT

PLANNER CONTACT
 STEVE JAMES
 A-TEAM LAND CONSULTANTS
 1700 WILSON DRIVE E.
 BIRMINGHAM, AL 35203
 205-871-7000

LANDSCAPE DESIGNER
 STEVE JAMES
 10317 FRANKLIN BLVD
 BIRMINGHAM, AL 35207

PRELIMINARY LANDSCAPE PLAN
RISING SUN ESTATES SUBDIVISION
 A-TEAM LAND CONSULTANTS & REAL ESTATE SERVICES
 1700 WILSON DRIVE E., BIRMINGHAM, AL 35203
 DATE: 08-18-2017
 SHEET 1 OF 1

RECEIVED
 6.19.17
 Exhibit
 42m

RISING SUN ESTATES SUBDIVISION

KUNA, ID



STEVE ARNOLD
1785 WHISPER COVE AVE.
BOISE, ID 83709
208-871-7020

Exhibit B-1



CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.KunaID.gov

MICHAEL L. BORZICK
GIS MAPPING

Telephone (208) 287-1726; Fax (208) 287-1731
Email: mborzick@kunaID.gov

MEMORANDUM

TO: Director of Kuna Planning and Zoning

FROM: Prepared for the Public Works Director
By Michael L. Borzick
GIS Manager

RE: Rising Sun Estates
SW Corner of Stroebel and Kuna Roads
17-07-S, 17-03-AN, 17-06-ZC
Subdivision, Annexation, Rezone

DATE: September 7th, 2017

The GIS Manager has reviewed the Preliminary Plat request of the above applicant dated June 19, 2017. It is noted that specific development plans are provided, which includes 91 single family buildable lots and 5 common lots. Accordingly, the GIS Manager provides the following comments:

1. Sanitary Sewer Needs

- a) The City has sufficient sewer treatment capacity to serve this site. All wastewater flows from this project would receive treatment at the South Wastewater Treatment facility.
- b) The Sewer Master Plan for disposal of wastewater from this area proposes discharge to a "New Orchard Lift Station". The City has determined that neither the City nor this project is best served by a re-conditioned Lift Station, and instead, proposes to construct a new regional lift station. This developer and others have provided all necessary easements ahead of platting to construct sewer trunk lines and the New Orchard Lift Station.
- c) This property was not included in Local Improvement District 2006-1 nor did it pre-pay sewer connection fees, and consequently, has no connection fee credits and no reserved sewer treatment capacity. However, there are sufficient treatment connections available at standard rates to serve this site. When connecting to the sewer system, the applicant will need to abide by any relevant sewer reimbursement policies and agreements and any relevant connection fees.

- d) City Code (6-4-2O) requires connection to the City sewer system for all sanitary sewer needs.
- e) The elevation of this project site and adjacent properties is too low to be serviced by gravity from the existing collection system and a lift station is required. Further, the capacity of the nearest lift station, Orchard, is almost fully committed. These two issues together suggest the propriety of a regional solution to address both deficiencies. The recommended condition applied to Merlin Subdivision should also be applied jointly to this development, to wit: **“It is recommended a sewer service study is conducted**, with input from the developer and in consideration of this development’s and the City’s needs, to determine the preferred sewer service option for this property”.
- f) For any connected load, it is recommended this application be conditioned to conform to the sewer master plan and the results of the “sewer service study” mentioned in 1.e, particularly to the providing sewer mains and trunk lines in the master plan and study.
- g) At all reasonable locations where sewer service could be extended to adjoining properties, sewer mains should be stubbed to the property line or extended in right-of-way in or adjacent to the project – both at useable depths. This applies to the sewer trunks in the Strobel Road right-of-way and if need be extended into the right-of-way for Kuna Road.
- h) For assistance in locating existing facilities and understanding issues associated with connection, please contact the GIS Manager at 287-1726.

2. Potable Water Needs

- a) The City has sufficient potable water supply to serve this site and would be subject to connection fees for the demand of the ultimate connected load as provided in the City’s Fee Resolution and Standard Table.
- b) The nearest available water main (8 or 10-inch) is located in the Kuna Road/Avalon St right-of-way approximately 3,600’ west of this project.
- c) The 10-inch main in Kuna Rd/Avalon St is the recommended connection point for fire protection. ITD controls Avalon at this location and may require the crossing to be bored.
- d) City Code (6-4-2X) requires connection to the City water system for all potable water needs.
- e) For any connected load, it is recommended this application be conditioned to conform to the water master plan.
- f) A minimum of 8-inch water mains should be installed by developer in internal subdivision streets.
- g) At least 8-inch water mains are to be extended and connected by developer to water trunk lines and mains through all stub and entry-way streets.
- h) Improvements necessary to provide adequate fire protection as required by Kuna Fire District will be required of the development.
- i) For assistance in locating existing facilities, please contact the GIS Manager at 287-1726.
- j) There isn’t redundancy of water transmission route for this development at this point.
- k) According to the distribution of supply wells and available supply in the vicinity of the project, there doesn’t seem to be a need for a well site within the bounds of the project.

3. Pressure Irrigation

- a) The applicant’s property is not connected to the City pressure irrigation system. The nearest pressure main (10-inch) is located near the water main in Kuna Road/Avalon St right-of-way approximately 3,600’ west of this project.
- b) The property’s irrigation needs are presently served by the Boise-Kuna Irrigation District. The GIS Manager has evaluated the distribution of irrigation pump stations and available supply in the

Exhibit B-1

vicinity of the project and concludes there is not a need for a pump station and reservoir within the bounds of the project.

- c) Relying on drinking water for irrigation purposes is contrary to City Code (6-4-2I) and the public interest and is not accounted for in the approved Water Master Plan. It is recommended this project be conditioned to require connection and annexation to the City Pressure Irrigation system at the time of development.
- d) The development is subject to connection fees based on number of dwellings and lot size for the residential area and based on ultimate landscaped area for the common lots, as provided in City Resolutions.
- e) For any connected load, it is recommended this application be conditioned to conform to the Pressure Irrigation Master Plan. The Master Plan designates the providing of a 12-inch trunk line in the Strobel Road frontage and a 10-inch trunk line in Kuna Road.
- f) It is further recommended that annexation into the municipal irrigation district and pooling of water rights is a requirement at the time of final platting.
- g) It is recommended that conformity with approved City PI standards is required, including the providing of adequately sized internal and boundary loop lines.

4. Grading and Storm Drainage

The following is required because alteration of surface features is proposed (such as grading or paving) in connection with this application:

- a) Runoff from public right-of-way is regulated by ACHD or ITD, depending on the agency responsible for the right-of-way. Plans are required to conform to the appropriate agency standards.
- b) Exclusive of public right-of-way, any increase in quantity or rate of runoff or decrease in quality of runoff compared to historical conditions must be detained, treated and released at rates no greater than historical amounts. In the alternative, offsite disposal of storm water in excess of historical rates or conditions of disposal at locations different than provided historically, approval of the operating entity is required. The City of Kuna relies on the ACHD Storm water Policy Manual to establish the requirements for design of any private disposal system.
- c) The city is now requiring with every new development, a documentation map that illustrates the surface and sub-surface water irrigation supply as well as drainage ways that exist in the applicant's property and in the right-of-way adjacent to the proposed development to be submitted with construction plans. The map must include 2-foot contours, a layout and essential features of existing irrigation ditches, drainage ditches and pipelines within and adjacent to the proposed development. Open and piped facilities should be noted. The map should include any proposed changes to the systems.
- d) All upstream drainage rights and downstream water delivery rights are to be preserved as a condition of development. Constructed facilities to preserve these rights must be designed by a licensed professional engineer, plans provided with the project plan set for review by the City Engineer and constructed in a manner and with materials acceptable to the City Engineer. Facilities provided must be accessible (easements or right-of-way) for continued maintenance, and if necessary, replacement.

5. General

- a) With the addition of this property into the corporate limits of Kuna and its potential connection to sewer, water and irrigation services, this property will be placing demand not only on constructed facilities but on water rights provided by others. It is the reasonable expectation, in return, that this property transfer to the City, at time of connection, any conveyable water rights by deed and

“Change of Ownership” form from IDWR. The domestic water right associated solely with a residence and ½ acre or less is not conveyable. The water right held in trust by an irrigation district is also not conveyable.

- b) A plan approval letter will be required if this project affects any local irrigation districts or its facilities. Indian Creek is one of those facilities.
- c) The City reserves the right of prior approval to all agreements involving the applicant (or its successors) and the irrigation or drainage district related to the property of this application and any attempt to abandon surface water rights.
- d) Verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties.
- e) State the vertical datum used for elevations on all drawings.
- f) Provide engineering certification on all final engineering drawings.
- g) The submittals attached to the application include some alignments for City infrastructure. This information is helpful but has not been reviewed in detail and has not received final approval. The applicant is advised that detailed review and plan approval occurs at the time of approval of the official improvement plans.

6. Inspection Fees

An inspection fee will be required for City inspection of the construction of any public or community water, sewer and irrigation facility associated with this development. The developer will still require a qualified responsible engineer to do sufficient inspection to justly certify to DEQ the project was completed in accordance with approved plans and specifications and to provide accurate as-built drawings to the City. The developer’s engineer and the City’s inspector are permitted to coordinate inspections as much as possible. The current City inspection fee is \$1.00 per lineal foot of sewer, water and irrigation related pipe and payment is due and payable prior to City’s scheduling of a pre-construction conference.

7. Right-of-Way

The subject property fronts one section line street (Kuna/Avalon) and one mid-mile street (Stroebe).

- a) Sufficient half right-of-way on the quarter line and section line for the classified streets should be provided pursuant to City and ACHD standards.
- b) Residential Easements – City Code (6-3-8) requires the providing of 10-foot front and back lot line easements and side-lot easements, as necessary. The GIS Manager recommends the following:
 - a. 10-foot minimum subdivision boundary easement – which can be reduced to 5’ on the phase lines if there are no irrigation or public utilities within those easements;
 - b. 10-foot minimum street frontage easement for public utilities and irrigation;
 - c. 10-foot back lot line easement as required in code for irrigation;
 - d. 5-foot side lot line easement as required in code for irrigation;
 - e. Additional easements as needed for facilities not in right-of-way of width and alignment acceptable to the City.
- c) It is recommended approaches onto classified streets comply with ACHD approach policies.
- d) It is recommended sidewalk, curb and gutter, street widening and any related storm drainage facilities, consistent with city code and policies, are provided at the time of land-use change, development or re-development.

Exhibit B-1

8. As-Built Drawings

As-built drawings are required at the conclusion of any public facility construction project and are the responsibility of the developer's engineer. The city may help track changes, but will not be responsible for the finished product. As-built drawings will be required before occupancy or final plat approval is granted.

9. Phasing of Development

- a) Any phasing plan, to be acceptable, must extend city services, extend transportation facilities and extend other utilities in a manner to maintain reliable service to the buildable lots in the subdivision and not disrupt service to neighboring properties.
- b) A phasing plan, to be acceptable, must not delay expenditures for infrastructure to burden with expenses in a disproportionate manner the later phases of a project.
- c) Irrespective of compliance with the above conditions, the City in general does not approve or reject phasing plans without the advice and consent of the Planning and Zoning Director.

10. Property Description

- a) The applicant is required to provide a metes and bounds property description of the subject parcel.

We look forward to working with you on this project. If we may be of further assistance, feel free to contact me at 287-1726.

Sincerely,

Michael L Borzick

Michael L Borzick
GIS Manager



Project/File: **Rising Sun Estates Subdivision / KPP17-0008 / 17-07-S / 17-03-AN / 17-06-ZC**
The applicant is requesting annexation, zoning and subdivision approval for Rising Sun Estates Subdivision. The proposed subdivision consists of 91 single family lots and 5 common lots on 36.3 acres. The project is located at the southwest corner of Kuna and Stroebel Roads.

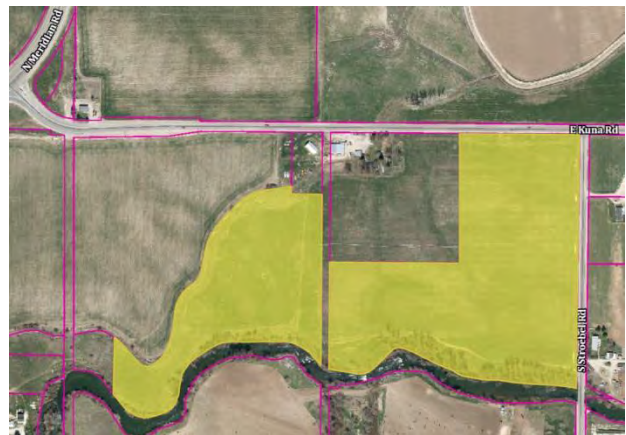
Lead Agency: City of Kuna

Site address: 2067 E. Kuna Road

Staff Approval: July 27, 2017

Applicant: Steve Arnold
A-Team Land Consultants
1785 S. Whisper Cove Ave.
Boise, ID 83709
(208) 321-0525

Staff Contact: Austin Miller
Phone: 387-6335
E-mail: amiller@achdidaho.org



A. Findings of Fact

- Description of Application:** The applicant is requesting annexation, zoning and subdivision approval for Rising Sun Estates Subdivision. The proposed subdivision consists of 91 single family lots and 5 common lots on 36.3 acres. The project is located at the southwest of Kuna and Strobel Roads. The proposed R-4 zoning is consistent with the City of Kuna's comprehensive plan.

- Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Agricultural Zone (owned by Kuna Joint School District)	A
South	Rural Residential Zone	RR
East	Rural Residential Zone	RR
West	Rural-Urban Transition Zone	RUT

- Site History:** ACHD has not previously reviewed this site for a development application.
- Adjacent Development:** The following developments are pending or underway in the vicinity of the site:
 - Journey's End Subdivision, consisting of 145-buildable lots, is located west of Sailor Place south of SH-69 and was approved by ACHD in 2015 and is in various stages of development.

- Merlin Pointe, consisting of 20-commercial lots and 56-residential lots, located at the northwest corner of Kuna Road and SH-69 was approved by ACHD in 2013 and is currently in plan review.
 - Sailor Shores Meadows, consisting of 26-residential lots, located on Sailer Place south of SH-69 was approved by ACHD in 2014 and is currently under construction.
 - Sailor Shores Meadows 2, consisting of 8-residential lots, located on Sailer Place south of SH-69 was approved by ACHD in May of 2017.
5. **Transit:** Transit services are not available to serve this site.
 6. **New Center Lane Miles:** The proposed development includes 0.83 centerline miles of new public road.
 7. **Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time.
 8. **Capital Improvements Plan (CIP) / Integrated Five Year Work Plan (IFYWP):**
 - There are currently no roadways, bridges or intersections in the general vicinity of the project that are currently in the Integrated Five Year Work Plan (IFYWP) or the District's Capital Improvement Plan (CIP).

B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 866 vehicle trips per day; 91 additional vehicle trips per hour in the PM peak hour, based on the Institute of Transportation Engineers Trip Generation Manual, 9th edition.
2. **Condition of Area Roadways**
Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
**State Highway 69 Meridian Road	None	Principal Arterial	494	N/A
Kuna Road	592-feet	Minor Arterial	266	Better than "E"
Stroebe Road	1,247-feet	Collector	N/A	N/A

** ACHD does not set level of service thresholds for State Highways.

* Acceptable level of service for a two-lane minor arterial is "E" (575 VPH).

* Acceptable level of service for a two-lane collector is "D" (425 VPH).

3. **Average Daily Traffic Count (VDT)**
Average daily traffic counts are based on ACHD's most current traffic counts.

- The average daily traffic count for SH-69 south of Deer Flat Road was 8,924 on May 14, 2015.
- The average daily traffic count for Kuna Road east of SH-69 was 4,400 on May 10, 2017.

C. Findings for Consideration

1. Kuna Road

Exhibit B-2

- a. **Existing Conditions:** Kuna Road is improved with 2-travel lanes (26-feet of pavement), and no curb, gutter or sidewalk abutting the site. There is 50-feet of right-of-way for Kuna Road (24-feet from centerline).

b. **Policy:**

Arterial Roadway Policy: District Policy 7205.2.1 states that the developer is responsible for improving all street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Master Street Map and Typology Policy: District Policy 7205.5 states that the design of improvements for arterials shall be in accordance with District standards, including the Master Street Map and Livable Streets Design Guide. The developer or engineer should contact the District before starting any design.

Street Section and Right-of Way Width Policy: District Policy 7205.2.1 & 7205.5.2 states that the standard 3-lane street section shall be 46-feet (back-of-curb to back-of-curb) within 70 feet of right-of-way. This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

Right-of-Way Dedication: District Policy 7205.2 states that The District will provide compensation for additional right-of-way dedicated beyond the existing right-of-way along arterials listed as impact fee eligible in the adopted Capital Improvements Plan using available impact fee revenue in the Impact Fee Service Area.

No compensation will be provided for right-of-way on an arterial that is not listed as impact fee eligible in the Capital Improvements Plan.

The District may acquire additional right-of-way beyond the site-related needs to preserve a corridor for future capacity improvements, as provided in Section 7300.

Sidewalk Policy: District Policy 7205.5.7 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all arterial streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

Frontage Improvements Policy: District Policy 7205.2.1 states that the developer shall widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site. Curb, gutter and additional pavement widening may be required (See Section 7205.5.5).

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Kuna Road is designated in the MSM as a Transitional/Commercial Arterial with 2-lanes and on-street bike lanes, a 36-foot street section within 54-feet of right-of-way.

- c. **Applicant Proposal:** The applicant is proposing to improve Kuna Road with 5-foot wide detached concrete sidewalk.

- d. **Staff Comments/Recommendations:** The applicant should be required to dedicate right-of-way abutting the site to total a minimum of 35-feet from centerline on Kuna Road.

The applicant's proposal to construct 5-foot wide concrete sidewalk meets District policy and should be approved as proposed. The sidewalk should be located a minimum of 31-feet from centerline on Kuna Road.

The applicant should be required to provide a permanent sidewalk easement for all public sidewalks placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk.

The applicant should be required to widen the pavement on Kuna Road to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site.

The applicant should be required to dedicate additional right-of-way on Kuna at the Stroebel Road/Kuna Road intersection to accommodate the future construction of a single lane roundabout (attachment 3) as designated in the MSM.

2. Stroebel Road

- a. **Existing Conditions:** Stroebel Road is improved with 2-travel lanes (25-feet of pavement) and no curb, gutter or sidewalk abutting the site. There is 50-feet of right-of-way for Stroebel Road (25-feet from centerline).

b. **Policy:**

Collector Street Policy: District policy 7206.2.1 states that the developer is responsible for improving all collector frontages adjacent to the site or internal to the development as required below, regardless of whether access is taken to all of the adjacent streets.

Master Street Map and Typologies Policy: District policy 7206.5 states that if the collector street is designated with a typology on the Master Street Map, that typology shall be considered for the required street improvements. If there is no typology listed in the Master Street Map, then standard street sections shall serve as the default.

Street Section and Right-of-Way Policy: District policy 7206.5.2 states that the standard right-of-way width for collector streets shall typically be 50 to 70-feet, depending on the location and width of the sidewalk and the location and use of the roadway. The right-of-way width may be reduced, with District approval, if the sidewalk is located within an easement; in which case the District will require a minimum right-of-way width that extends 2-feet behind the back-of-curb on each side.

The standard street section shall be 46-feet (back-of-curb to back-of-curb). This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

Residential Collector Policy: District policy 7206.5.2 states that the standard street section for a collector in a residential area shall be 36-feet (back-of-curb to back-of-curb). The District will consider a 33-foot or 29-foot street section with written fire department approval and taking into consideration the needs of the adjacent land use, the projected volumes, the need for bicycle lanes, and on-street parking.

Sidewalk Policy: District policy 7206.5.6 requires a concrete sidewalks at least 5-feet wide to be constructed on both sides of all collector streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

Exhibit B-2

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, collector street requirements, and specific roadway features required through development. This segment of Stroebel Road is designated in the MSM as a Residential Collector with 2-lanes and on-street bike lanes, a 36-foot street section within 60-feet of right-of-way.

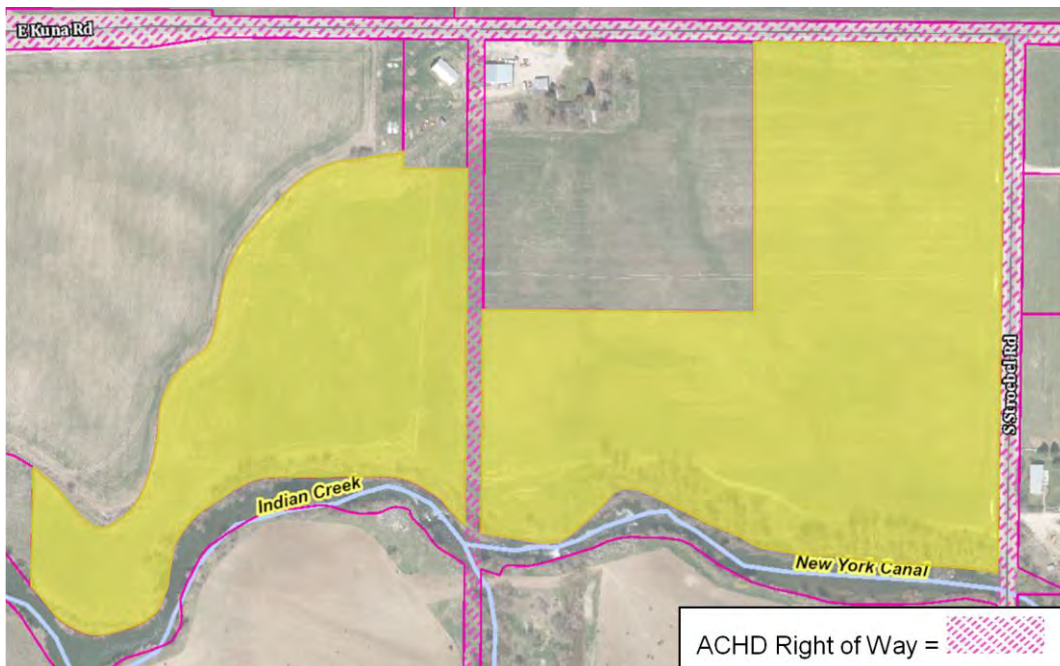
- c. **Applicant Proposal:** The applicant is proposing to improve Stroebel Road abutting the site with 5-foot wide detached concrete sidewalk.
- d. **Staff Comments/Recommendations:** The applicant should be required to improve Stroebel Road as $\frac{1}{2}$ of a 36-foot street section with vertical curb and gutter and a 5-foot wide detached concrete sidewalk located a minimum of 6-feet from the back of curb (or 7-foot wide attached sidewalk).

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

The applicant should be required to dedicate additional right-of-way on Stroebel Road at the Stroebel Road/Kuna Road intersection to accommodate the future construction of a single lane roundabout (attachment 3) as designated in the MSM.

3. Easter Avenue

- a. **Existing Conditions:** There is currently 40-feet of right-of-way for the proposed Easter Avenue. The right-of-way intersects Kuna Road located 1,265-feet west of Stroebel Road and runs south bisecting this property and extending past the New York Canal/Indian Creek.



- b. **Local Roadway Policy:** District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Street Section and Right-of-Way Policy: District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 50-feet wide and that the standard street section shall be 36-feet (back-of-curb to back-of-curb). The District will consider the utilization of a street width less than 36-feet with written fire department approval.

Standard Urban Local Street—36-foot to 33-foot Street Section and Right-of-way Policy: District Policy 7207.5.2 states that the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot concrete sidewalks on both sides and shall typically be within 50-feet of right-of-way.

The District will also consider the utilization of a street width less than 36-feet with written fire department approval. Most often this width is a 33-foot street section (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size.

Sidewalk Policy: District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

Half Street Policy: District Policy 7207.2.2 required improvements shall consist of pavement widening to one-half the required width, including curb, gutter and concrete sidewalk (minimum 5-feet), plus 12-feet of additional pavement widening beyond the centerline established for the street to provide an adequate roadway surface, with the pavement crowned at the ultimate centerline. A 3-foot wide gravel shoulder and a borrow ditch sized to accommodate the roadway storm runoff shall be constructed on the unimproved side.

Off-site Streets: If the proposed development is not served by a public street with at least 24-feet of pavement then the developer shall pave the street or widen the existing pavement to provide 24-feet of pavement with 3-foot gravel shoulders from the site to a public street specified by the District.

Local Street Intersection Spacing on Minor Arterials: District policy 7205.4.3 states that new local streets should not typically intersect arterials. Local streets should typically intersect collectors. If it is necessary, as determined by ACHD, for a local street to intersect an arterial, the minimum allowable offset shall be 660-feet as measured from all other existing roadways as identified in Table 1a (7205.4.6).

- c. **Applicant's Proposal:** The applicant is proposing to construct Easter Avenue from Kuna Road south for 580-feet, as half of a 36-foot street section. The applicant is proposing to vacate the remainder of the unopened right-of-way north of the New York Canal/Indian Creek.

Exhibit B-2

The northernmost 200-feet of Easter Avenue south of Kuna Road is located off-site, and does not abut this project.

- d. **Staff Comments/Recommendations:** The applicant's proposal for Easter Avenue to intersect Kuna Road 1,265-feet west of Stroebel Road meets District policy and should be approved as proposed.

The applicant should be required to construct Easter Avenue abutting the site as ½ of a 36-foot street section, plus 12 additional feet of pavement (totaling 30-feet). Construct curb, gutter and 5-foot wide concrete sidewalk on the west side, and a 3-foot wide gravel shoulder with a borrow ditch sized to accommodate the roadway storm runoff should be constructed on the east side of Easter Avenue.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

If additional right-of-way is necessary to accommodate the improvements on Easter Avenue, the applicant should be required to dedicate the necessary right-of-way width.

The applicant should be required to construct a minimum of 24-feet of pavement with 3-foot wide gravel shoulders for the off-site portion of Easter Avenue extending north of the site to Kuna Road.

The vacation application is a separate process reviewed by ACHD. The applicant should coordinate with the ACHD Right-of-Way Department on the vacation request. Approval of this preliminary plat does not equate to approval of the vacation request.

4. Internal Local Streets

- a. **Existing Conditions:** No streets exist internal to the site.

- b. **Policy:**

Local Roadway Policy: District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Street Section and Right-of-Way Policy: District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 50-feet wide and that the standard street section shall be 36-feet (back-of-curb to back-of-curb). The District will consider the utilization of a street width less than 36-feet with written fire department approval.

Standard Urban Local Street—36-foot to 33-foot Street Section and Right-of-way Policy: District Policy 7207.5.2 states that the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot concrete sidewalks on both sides and shall typically be within 50-feet of right-of-way.

The District will also consider the utilization of a street width less than 36-feet with written fire department approval. Most often this width is a 33-foot street section (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size.

Sidewalk Policy: District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to

provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

Offset Policy: District policy 7206.4.5, requires local roadways to align or offset a minimum of 330-feet while intersection a collector roadway (measured centerline to centerline).

- c. **Applicant's Proposal:** The applicant is proposing to construct internal local streets as 36-foot street sections, including curb and gutter within 50-feet of right-of-way.

The applicant is proposing to construct 5-foot wide detached concrete sidewalk set behind a 6-foot wide landscape strip.

The applicant is proposing to construct knuckles at the following locations:

- The intersection of Levant Street and Sunniva Avenue.
- The intersection of Levant Street and Oriana Avenue.
- The intersection of Oriana Avenue and Thea Drive.

The applicant is proposing Sol Street to intersect Strobel Road, located approximately 660-feet south of Kuna Road.

- d. **Staff Comments/Recommendations:** The applicant's proposal to construct Sol Street to intersect Stroebel Road meets District policy and should be approved, as proposed.

The applicant should be required to construct internal local streets as 36-foot street sections with curb, gutter and 5-foot wide sidewalk within 50-feet of right-of-way. If the applicant chooses to construct 5-foot wide detached sidewalk, then the right-of-way can be reduced to 40-feet, and the applicant shall provide a permanent sidewalk easement for all sidewalk located outside of the dedicated public right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

If street trees are proposed then 8-foot wide landscape strips are required.

The applicant's proposal to construct 3 knuckles and should be approved as proposed.

5. Stub Streets

- a. **Existing Conditions:** No streets exist internal to the site.

- b. **Policy:**

Stub Street Policy: District policy 7207.2.4 states that stub streets will be required to provide circulation or to provide access to adjoining properties. Stub streets will conform with the requirements described in Section 7207.2.5.4, except a temporary cul-de-sac will not be required if the stub street has a length no greater than 150-feet. A sign shall be installed at the terminus of the stub street stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

Exhibit B-2

In addition, stub streets must meet the following conditions:

- A stub street shall be designed to slope towards the nearest street intersection within the proposed development and drain surface water towards that intersection; unless an alternative storm drain system is approved by the District.
- The District may require appropriate covenants guaranteeing that the stub street will remain free of obstructions.

Temporary Dead End Streets Policy: District policy 7207.2.4 requires that the design and construction for cul-de-sac streets shall apply to temporary dead end streets. The temporary cul-de-sac shall be paved and shall be the dimensional requirements of a standard cul-de-sac. The developer shall grant a temporary turnaround easement to the District for those portions of the cul-de-sac which extend beyond the dedicated street right-of-way. In the instance where a temporary easement extends onto a buildable lot, the entire lot shall be encumbered by the easement and identified on the plat as a non-buildable lot until the street is extended.

- c. **Applicant Proposal:** The applicant is proposing to construct one stub street to the west, Thea Drive.
- d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved, as proposed. The applicant should be required to install a sign at the terminus of Thea Drive stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

The applicant should be required to construct a temporary cul-de-sac turnaround at the terminus of Thea Drive, as it extends greater than 150-feet in length. The temporary turnaround should be paved and constructed to the same dimensional requirements of a standard cul-de-sac. If the temporary cul-de-sac turnaround extends onto a buildable lot, the entire lot shall be encumbered by the easement and identified on the plat as a non-buildable lot until the street is extended.

6. Traffic Calming

- a. **Speed Control and Traffic Calming Policy:** District policy 7207.3.7 states that the design of local street systems should discourage excessive speeds by using passive design elements. If the design or layout of a development is anticipated to necessitate future traffic calming implementation by the District, then the District will require changes to the layout and/or the addition of passive design elements such as horizontal curves, bulb-outs, chokers, etc. The District will also consider texture changes to the roadway surface (i.e. stamped concrete) as a passive design element. These alternative methods may require a maintenance and/or license agreement.
- b. **Applicant's Proposal:** The applicant is proposing Thea Drive to be 1,800-feet in length.
- c. **Staff Comments/Recommendations:** The applicant should be required to construct bulb-outs at the intersections of Thea Drive with Marisol Avenue and Sunniva Avenue. Due to the site's configuration and proximity to the New York Canal a shorter block length is not feasible without compromising the interconnectivity of the site. The applicant has proposed an "s" curve in Thea Drive to provide an additional traffic calming design element.

7. Tree Planters

Tree Planter Policy: Tree Planter Policy: The District's Tree Planter Policy prohibits all trees in planters less than 8-feet in width without the installation of root barriers. Class II trees may be allowed in planters with a minimum width of 8-feet, and Class I and Class III trees may be allowed in planters with a minimum width of 10-feet.

8. Landscaping

Landscaping Policy: A license agreement is required for all landscaping proposed within ACHD right-of-way or easement areas. Trees shall be located no closer than 10-feet from all public storm drain facilities. Landscaping should be designed to eliminate site obstructions in the vision triangle at intersections. District Policy 5104.3.1 requires a 40-foot vision triangle and a 3-foot height restriction on all landscaping located at an uncontrolled intersection and a 50-foot offset from stop signs. Landscape plans are required with the submittal of civil plans and must meet all District requirements prior to signature of the final plat and/or approval of the civil plans.

9. Other Access

Kuna Road is classified as a minor arterial, and Stroebel Road is classified as a collector roadway. Other than the access specifically approved with this application, direct lot access is prohibited to these roadways and should be noted on the final plat.

D. Site Specific Conditions of Approval

1. Dedicate right-of-way abutting the site to total a minimum of 35-feet from centerline on Kuna Road.
2. Improve Kuna Road with 5-foot wide detached concrete sidewalk abutting the site located a minimum of 31-feet from centerline.
3. Widen the pavement on Kuna Road to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site.
4. Improve Stroebel Road as ½ of a 36-foot street section with vertical curb, gutter and a 5-foot wide detached, or 7-foot wide attached concrete sidewalk.
5. Provide a permanent right-of-way easement if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.
6. Dedicate right-of-way at the intersection of Stroebel Road and Kuna Road to accommodate the future roundabout as designated in the MSM.
7. Construct Easter Avenue to intersect Kuna Road 1,265-feet west of Stroebel Road (measured centerline-to-centerline).
8. Construct Easter Avenue abutting the site as half of a 36-foot street section, plus 12 additional feet of pavement (totaling 30-feet). Construct curb, gutter and 5-foot wide concrete sidewalk on the west side, and a 3-foot wide gravel shoulder with a borrow ditch sized to accommodate the roadway storm runoff on the east side of Easter Avenue.
9. Dedicate additional right-of-way necessary to accommodate the required improvements on Easter Avenue abutting the site.
10. Construct Easter Avenue north of the site to Kuna Road (off-site) with a minimum of 24-feet of pavement with 3-foot wide gravel shoulders.
11. Construct internal local streets as 36-foot street sections with curb, gutter and 5-foot wide sidewalk within 50-feet of right-of-way. If the applicant chooses to construct 5-foot wide detached sidewalk, then the right-of-way can be reduced to 40-feet, and the applicant shall provide a permanent sidewalk easement for all sidewalk located outside of the dedicated public right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.
12. Construct 3 knuckles at the following locations:

Exhibit B-2

- The intersection of Levant Street and Sunniva Avenue.
 - The intersection of Levant Street and Oriana Avenue.
 - The intersection of Oriana Avenue and Thea Drive.
13. Construct Sol Street to intersect Stroebel Road 660-feet south of Kuna Road
 14. Construct a temporary cul-de-sac turnaround at the terminus of Thea Drive. The temporary turnaround should be paved and constructed to the same dimensional requirements of a standard cul-de-sac. If the temporary cul-de-sac turnaround extends onto a buildable lot, the entire lot shall be encumbered by the easement and identified on the plat as a non-buildable lot until the street is extended.
 15. Install a sign at the terminus of Thea Drive stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."
 16. Construct bulb-outs at the intersections of Thea Drive with Marisol Avenue and Sunniva Avenue.
 17. Note on the final plat that other than the access specifically approved with this application direct lot access is prohibited to Kuna and Stroebel Road.
 18. Payment of impacts fees are due prior to issuance of a building permit.
 19. Comply with all Standard Conditions of Approval.

E. Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable

ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.

10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

F. Conclusions of Law

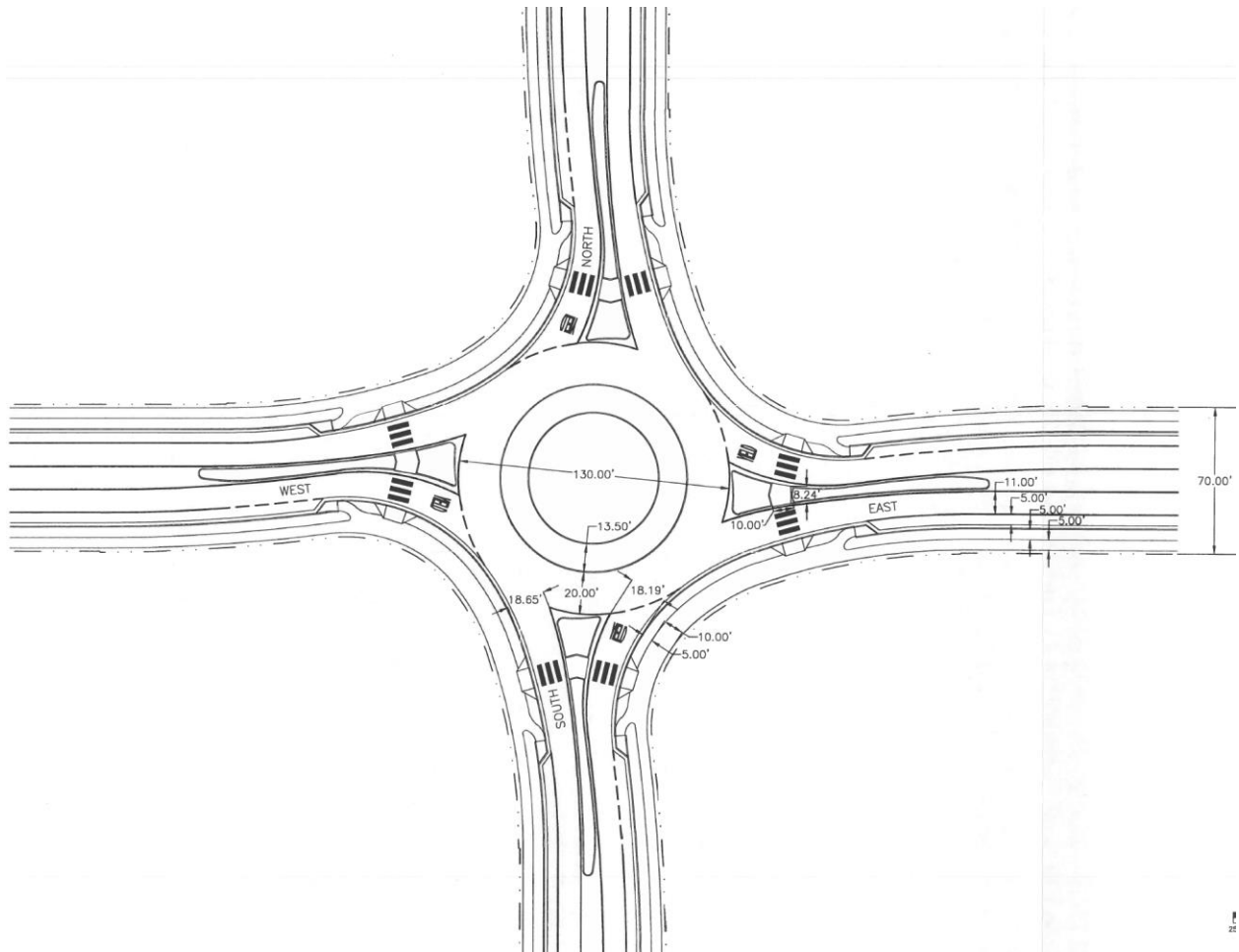
1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.
2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted by the proposed development.

G. Attachments

1. Vicinity Map
2. Site Plan
3. Roundabout Template
4. Utility Coordinating Council
5. Development Process Checklist
6. Request for Appeal Guidelines

Exhibit B-2

SINGLE LANE ROUNDABOUT TEMPLATE



Request for Appeal of Staff Decision

1. **Appeal of Staff Decision:** The Commission shall hear and decide appeals by an applicant of the final decision made by the Development Services Manager when it is alleged that the Development Services Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.
 - a. **Filing Fee:** The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.
 - b. **Initiation:** An appeal is initiated by the filing of a written notice of appeal with the Secretary and Clerk of the District, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.
 - c. **Time to Reply:** The Development Services Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal, and may during such time meet with the appellant to discuss the matter, and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.
 - d. **Notice of Hearing:** Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the Development Services Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.
 - e. **Action by Commission:** Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.

Exhibit B-3

BRIAN McDEVITT
CHAIRMAN OF THE BOARD

RICHARD DURRANT
VICE CHAIRMAN OF THE BOARD

TIMOTHY M. PAGE
PROJECT MANAGER

ROBERT D. CARTER
ASSISTANT PROJECT MANAGER

APRYL GARDNER
SECRETARY-TREASURER

JERRI FLOYD
ASSISTANT SECRETARY-
TREASURER

BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2465 OVERLAND ROAD
BOISE, IDAHO 83705-3155

OPERATING AGENCY FOR 167,000
ACRES FOR THE FOLLOWING
IRRIGATION DISTRICTS

NAMPA-MERIDIAN DISTRICT
BOISE-KUNA DISTRICT
WILDER DISTRICT
NEW YORK DISTRICT
BIG BEND DISTRICT

TEL: (208) 344-1141
FAX: (208) 344-1437

11 July 2017

City of Kuna
751 W. 4th Street
Kuna, Idaho 83634

RE: A-Team Land Consultants – Rising Sun Estates
2067 E. Kuna Rd. **17-07-S, 17-03-AN, 17-06-ZC**
Boise-Kuna Irrigation District
Teed Lateral 34+60
Wilcox Lateral 58+90 **BK-1220**
Sec. 25, T2N, R1W, BM.

Troy Behunin, Planner III:

The United States' New York Canal (that portion that runs through the Indian Creek Channel) lies within the boundary of the above-mentioned location. The easement for this facility is held in the name of the United States through the Bureau of Reclamation under the authority of the Act of August 30, 1890. (26 Stat. 391; 43 U.S.C. 945)

The Boise Project Board of Control is contracted to operate and maintain this facility. We assert the federal easement 25 feet northerly of the uppermost shoulder of the channel. Whereas this area is for the operation and maintenance of our facilities, no activity should hinder our ability to do so.

Project easements must be called out on the final plat.

The Boise Project does not approve landscaping (other than grass) within its easements, as this will certainly increase our cost of maintenance.

Fencing (as may be required) must be constructed just off the easement, to insure public safety and prevent encroachments.

Pathways must be constructed just outside the easement, to insure public safety and prevent encroachments.

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JUL 14 2017

CITY OF KUNA

Parking lots, curbing, light poles, signs, etc. and the placing of asphalt and/or cement over Project facility easements must be approved by Boise Project Board of Control prior to construction.

Project facilities and/or easements that parallel, and are within and/or intended to be within road right-of-ways due to any development of this property must be relocated outside of road right-of-ways. The easements of Boise Project facilities will remain the same unless agreed upon and/or approved with written permission from Boise Project Board of Control.

Utilities planning to cross any project facility must do so in accordance with the master policies now held between the Bureau of Reclamation and most of the utilities. In any case, no work shall take place within the easement before proper crossing agreements have been secured through both the Bureau of Reclamation and the Boise Project Board of Control.

Crossing agreements must be secured and signed by all parties prior to March 1st of each year. A time schedule for the construction to be done during the non-irrigation season must be approved by Boise Project prior to any activity within Project easements. No construction will be allowed within the easement boundaries of the Boise Project Board of Control facilities after March 15th of each year. However, on a case by case, overhead utilities and utilities boring underneath a Project facility may be allowed after March 15th if reviewed and approved by the Boise Project.

Storm Drainage and/or Street Runoff must be retained on site.

NO DISCHARGE into any live irrigation system is permitted.

Local irrigation/drainage ditches that cross this property, in order to serve neighboring properties, must remain unobstructed and protected by an appropriate easement.

Should there be any small (neighborhood) irrigation ditches on this site, the developers and/or landowners will be obligated to protect them and allow water to pass to downstream neighbors.

This development is subject to Idaho Code 31-3805, in accordance, this office is requesting a copy of the irrigation and drainage plans.

If the irrigation system will be incorporated into the City of Kuna's pressure system, Boise Project Board of Control will require confirmation from both the City of Kuna and the Boise-Kuna Irrigation District.

Boise Project Board of Control must receive a written response from the Boise-Kuna Irrigation District as to who will own and operate the pressure irrigation system prior to review and approval of an irrigation plan by Boise Project Board of Control.

Exhibit B-3

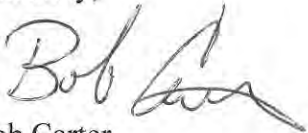
Wording on the preliminary and final recorded plat needs to state that any proposed and/or future usage of the Boise Project Board of Control facilities are subject to Idaho Statutes, Title 42-1209.

This office is requesting a full size set of plans for our review and approval.

Whereas this development is in its preliminary stages, Boise Project Board of Control reserves the right to review plans and require changes when our easements and/or facilities are affected by unknown factors.

If you have any further questions or comments regarding this matter, please do not hesitate to contact me at (208) 344-1141.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Carter", with a stylized flourish at the end.

Bob Carter
Assistant Project Manager- BPBC

bdc/bc

cc:	Clint McCormick	Watermaster, Div; 2 BPBC
	Lauren Boehlke	Secretary – Treasurer, BKID
	File	



CENTRAL DISTRICT HEALTH DEPARTMENT
Environmental Health Division

Return to:

- ☐ ACZ
☐ Boise
☐ Eagle
☐ Garden City
☒ Kuna
☐ Meridian
☐ Star

Rezone # 17-03-AM / 17-06-ZC

Conditional Use # _____

Preliminary / Final / Short Plat 17-07-S

Rising Sun Estates

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JUL 17 2017

CITY OF KUNA

Exhibit B -4

- ☐ 1. We have No Objections to this Proposal.
- ☐ 2. We recommend Denial of this Proposal.
- ☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- ☐ 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- ☐ 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
☐ high seasonal ground water ☐ waste flow characteristics
☐ bedrock from original grade ☐ other _____
- ☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- ☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- ☒ 8. After written approval from appropriate entities are submitted, we can approve this proposal for:
☒ central sewage ☐ community sewage system ☐ community water well
☐ interim sewage ☒ central water
☐ individual sewage ☐ individual water
- ☒ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
☒ central sewage ☐ community sewage system ☐ community water
☐ sewage dry lines ☒ central water
- ☐ 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- ☐ 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- ☐ 12. We will require plans be submitted for a plan review for any:
☐ food establishment ☐ swimming pools or spas ☐ child care center
☐ beverage establishment ☐ grocery store
- ☒ 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.

☐ 14. _____

Reviewed By:

[Signature]

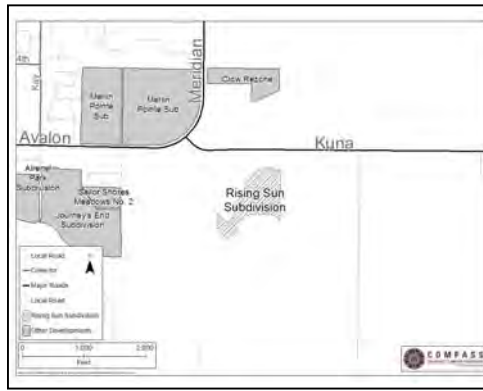
Date: 7/12/17

Exhibit B-5

Communities in Motion 2040 Development Checklist

The Community Planning Association of Southwest Idaho (COMPASS) is the metropolitan planning organization (MPO) for Ada and Canyon Counties. COMPASS has developed this checklist as a tool for local governments to evaluate whether land developments are consistent with the goals of *Communities in Motion 2040* (CIM 2040), the regional long-range transportation plan for Ada and Canyon Counties. CIM 2040 was developed through a collaborative approach with COMPASS member agencies and adopted by the COMPASS Board on **July 21, 2014**.

This checklist is not intended to be prescriptive, but rather a guidance document based on CIM 2040 goals, objectives, and performance measures. A checklist user guide is available [here](#); and more information about the CIM 2040 goals can be found [here](#); and information on the CIM 2040 Vision can be found [here](#).



[Click for detailed map.](#)

Name of Development: Rising Sun Subdivision

Summary: 91 single-family residential unit southeast of the intersection of State Highway 69 and Kuna Road. This proposal meets 9 CIM 2040 checklist items and does not meet 14 items. The proposal shows an off-street pathway along Indian Creek to comply with the Kuna Regional Pathway Map of 2016.

Land Use

In which of the [CIM 2040 Vision Areas](#) is the proposed development? (Goal 2.1)?

- ☐ Downtown
 ☐ Employment Center
 ☐ Existing Neighborhood
 ☐ Foothills
☒ Future Neighborhood
 ☐ Mixed Use
 ☐ Prime Farmland
 ☐ Rural
☐ Small Town
 ☐ Transit Oriented Development

☐ Yes ☒ No ☐ N/A The proposal is within a CIM 2040 Major Activity Center. (Goal 2.3)

Neighborhood (Transportation Analysis Zone) Demographics

Existing		Existing TAZ + Proposal		2040 Forecast	
Households	Jobs	Households	Jobs	Households	Jobs
8	0	99	0	272	51

☒ Yes ☐ No ☐ N/A The number of jobs and/or households in this development is consistent with jobs/households in the CIM 2040 Vision in this neighborhood. (Goal 2.1)

Area (Adjacent Transportation Analysis Zone) Demographics

Existing		Existing TAZs + Net Proposed		2040 Forecast	
Households	Jobs	Households	Jobs	Households	Jobs
227	76	525	76	2,764	1,266

☒ Yes ☐ No ☐ N/A The number of jobs and/or households in this development is consistent with jobs/households in the CIM 2040 Vision in this area. (Goal 2.1)



More information on COMPASS and *Communities in Motion 2040* can be found at:

www.compassidaho.org

Email: info@compassidaho.org

Telephone: (208) 475-2239



Communities in Motion 2040 Development Checklist

Transportation

- ☐ Attached ☐ N/A An Area of Influence Travel Demand Model Run is attached.
- ☒ Yes ☐ No ☐ N/A There are relevant projects in the current Regional [Transportation Improvement Projects](#) (TIP) within one mile of the development.

Comments: E Kuna Rd to Meridian resurfacing in 2018 \$4.6M cost.

- ☐ Yes ☐ No ☐ N/A The proposal uses appropriate access management techniques as described in the [COMPASS Access Management Toolkit](#).

Comments: Access to Stroebel Road, rather than Kuna Road, an arterial.

- ☒ Yes ☐ No ☐ N/A This proposal supports Valley Regional Transit's [valleyconnect](#) plan. See [Valley Regional Transit Amenities Development Guidelines](#) for additional detail.

Comments: Flex route service to neighborhoods in less dense areas. No bus stops in proximity to site.

The **Complete Streets Level of Service (LOS)** scoring based on the proposed development will be provided on an separate worksheet (**Goals [1.1](#), [1.2](#), [1.3](#), [1.4](#), [2.4](#)**):

- ☒ Attached ☐ N/A Complete Streets LOS scorecard is attached.
- ☐ Yes ☐ No ☒ N/A The proposal maintains or improves current automobile LOS.
- ☐ Yes ☐ No ☒ N/A The proposal maintains or improves current bicycle LOS.
- ☐ Yes ☐ No ☒ N/A The proposal maintains or improves current pedestrian LOS.
- ☐ Yes ☐ No ☒ N/A The proposal maintains or improves current transit LOS.
- ☐ Yes ☒ No ☐ N/A The proposal is in an area with a [Walkscore](#) over 50.

Housing

- ☐ Yes ☒ No ☐ N/A The proposal adds [compact housing](#) over seven residential units per acre. (**Goal [2.3](#)**)
- ☐ Yes ☒ No ☐ N/A The proposal is a mixed-use development or in a mixed-use area. (**Goal [3.1](#)**)
- ☐ Yes ☒ No ☐ N/A The proposal is in an area with lower transportation costs than the [regional average](#) of 26% of the median household income. (**Goal [3.1](#)**)
- ☐ Yes ☒ No ☐ N/A The proposal improves the jobs-housing balance by providing housing in employment-rich areas. (**Goal [3.1](#)**)

Community Infrastructure

- ☐ Yes ☒ No ☐ N/A The proposal is infill development. (**Goals [4.1](#), [4.2](#)**)
- ☒ Yes ☐ No ☐ N/A The proposal is within or adjacent to city limits. (**Goals [4.1](#), [4.2](#)**)
- ☒ Yes ☐ No ☐ N/A The proposal is within a city area of impact. (**Goals [4.1](#), [4.2](#)**)

Health

- ☐ Yes ☒ No ☐ N/A The proposal is within 1/4 mile of a transit stop. (**Goal [5.1](#)**)
- ☐ Yes ☒ No ☐ N/A The proposal is within 1/4 mile of a public school. (**Goal [5.1](#)**)
- ☐ Yes ☒ No ☐ N/A The proposal is within 1/4 mile of a grocery store. (**Goal [5.1](#)**)
- ☐ Yes ☒ No ☐ N/A The proposal is within 1 mile of a park and ride location. (**Goal [5.1](#)**)

Economic Development

- ☐ Yes ☐ No ☒ N/A The proposal improves the jobs-housing balance by providing employment in housing-rich areas. (**Goal [3.1](#)**)
- ☐ Yes ☐ No ☒ N/A The proposal provides grocery stores or other retail options for neighborhoods within 1/2 mile. (**Goal [6.1](#)**)

Open Space

- ☐ Yes ☒ No ☐ N/A The proposal is within a 1/4 mile of a public park. (**Goal [7.1](#)**)
- ☒ Yes ☐ No ☐ N/A The proposal provides at least 1 acre of parks for every 35 housing units. (**Goal [7.1](#)**)

Farmland

- ☒ Yes ☐ No ☐ N/A The proposal is outside "Prime Farmland" in the CIM 2040 Vision. (**Goals [4.1](#), [8.2](#)**)
- ☐ Yes ☒ No ☐ N/A The proposal is outside prime farmland. (**Goal [8.2](#)**)

Exhibit B-5

Communities in Motion 2040 Complete Streets Scorecard

The purpose of this checklist is to provide a tool for local governments to evaluate whether land developments are in accordance with the goals of *Communities in Motion 2040* (CIM 2040). Complete Streets Level of Service (LOS) refers to the multimodal (automobile, bicycle, pedestrian, and transit) experience and grades a roadway (A-F) for each mode. COMPASS conducts Complete Streets Level of Service (CSLOS) analysis for developments on arterial roads.



	Mode	Existing	With detached sidewalk and bicycle lane
		Link LOS	Link LOS
Kuna Road Highway 69 to Stroebe Road	Transit	F	F
	Bike	C	A
	Ped	D	B
Highway Capacity Manual 2010 Methodologies			

Walkscore: 7 Car-Dependent. Walkscore is a walkability index that assigns a numerical walkability on a scale from 0 - 100 based on walking routes to destinations such as grocery stores, schools, parks, restaurants, and retail. Scores of 50 or higher are considered at least "Somewhat Walkable" while scores less than 50 are "Car-Dependent."

More information on
COMPASS and
Communities in Motion
2040 can be found at:

www.compassidaho.org



COMPASS
COMMUNITY PLANNING ASSOCIATION
of Southwest Idaho

Exhibit B-6



STATE OF IDAHO
DEPARTMENT OF ENVIRONMENTAL QUALITY
BOISE REGIONAL OFFICE
1445 North Orchard Street • Boise, ID 83706-2239 • (208) 373-0550

DEQ Response to Request for Environmental Comment

Date:	July 18, 2017
Agency Requesting Comments:	City of Kuna
Date Request Received:	July 6, 2017
Applicant/Description:	A-Team Land Consultants/Rising Sun Estates 17-07-S (Subdivision); 17-03-AN (Annexation); 17-06-ZC (Rezone)

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at <http://www.deq.idaho.gov/ieg/>.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. Air Quality

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).

For questions, contact David Luft, Air Quality Manager, at 373-0550.

- IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.

For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

2. Wastewater and Recycled Water

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.

All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.

- *DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.*
- *DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.*

For questions, contact Todd Crutcher, Engineering Manager, at 373-0550.

3. Drinking Water

- *DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.*
- *IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.*

All projects for construction or modification of public drinking water systems require preconstruction approval.

- *DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at <http://www.deq.idaho.gov/water-quality/drinking-water.aspx>). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.*
- *If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.*
- *DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.*
- *DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.*

For questions, contact Todd Crutcher, Engineering Manager at 373-0550.

4. Surface Water

- *A DEQ short-term activity exemption (STAE) from this office is required if the project will involve de-watering of ground water during excavation and discharge back into surface water, including a description of the water treatment from this process to prevent excessive sediment and turbidity from entering surface water.*

Exhibit B-6

- Please contact DEQ to determine whether this project will require a National Pollution Discharge Elimination System (NPDES) Permit. If this project disturbs more than one acre, a stormwater permit from EPA may be required.
- If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call 208-334-2190 for more information. Information is also available on the IDWR website at: <http://www.idwr.idaho.gov/WaterManagement/StreamsDams/Streams/AlterationPermit/AlterationPermit.htm>
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.

For questions, contact Lance Holloway, Surface Water Manager, at 373-0550.

5. Hazardous Waste And Ground Water Contamination

- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.
- No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards, Rules and Regulations for Hazardous Waste, and Rules and Regulations for the Prevention of Air Pollution.
- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852).

Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.

- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or

disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact Albert Crawshaw, Waste & Remediation Manager, at 373-0550.

6. Additional Notes

- *If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at 373-0550, or visit the DEQ website (<http://www.deq.idaho.gov/waste-mgmt-remediation/storage-tanks.aspx>) for assistance.*
- *If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.*

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at 208-373-0550.

Sincerely,



Aaron Scheff
aaron.scheff@deq.idaho.gov
Regional Administrator
Boise Regional Office
Idaho Department of Environmental Quality

ec: TRIM 2017AEK96
File # 2324

Exhibit B-7



IDAHO TRANSPORTATION DEPARTMENT

P.O. Box 8028
Boise, ID 83707-2028

(208) 334-8300
itd.idaho.gov

August 1, 2017

Troy Behunin
City of Kuna, Planning and Zoning Department
P.O. Box 13
Kuna, ID 83634

VIA EMAIL

RE: 17-07-S, 17-06-AN, 17-06-ZC RISING SUN SUBDIVISION

The Idaho Transportation Department has reviewed the referenced annexation, subdivision, and zoning change applications for the Rising Sun Subdivision at 2067 East Kuna Road, east of SH-69, milepost 2.10. ITD has the following comments:

1. No direct access to the State Highway system is requested with this application and none is approved. Modification of an existing access to the State Highway system will require a permit from ITD.
2. Access to the State highway system is indicated to be at SH69 and Kuna Road. Traffic generation numbers were not provided with this application. A traffic impact study will be required to determine the impact to the intersection and what mitigations may be required.
3. Idaho Code 40-1910 does not allow advertising within the right-of-way of any State highway system.
4. IDAPA 39.03.60 rules govern advertising along the State highway system. The applicant may contact Justin Pond, Program Manager for ITD's Headquarters Right-of-Way Section at 334-8832 for more information.
5. The City is reminded that this project will increase the number of vehicle trips in the corridor. ITD has no current funding assigned to mitigate traffic congestion in the SH-69 corridor in this area.
6. ITD does not object to construction of a subdivision on this parcel.

If you have any questions, you may contact Shona Tonkin at 334-8341 or me at 332-7190.

Sincerely,

A handwritten signature in blue ink that reads 'Ken Couch'.

Ken Couch
Development Services Coordinator
Ken.Couch@itd.idaho.gov

COMPASS LAND SURVEYING, P.L.L.C.

3818 E. Newby Street, Suite 103
Nampa, Idaho 83687

Telephone: (208) 442-0115
Fax: (208) 327-2106
Email: rgray.cls@gmail.com

Client: Debra Young
Date: 6/15/17
Job No.: 2717
RE:

DEBRA YOUNG WEST PARCEL DESCRIPTION

The following describes a Parcel of Land being a portion of Lots 1, 3, 5 and 6, Block 6 of the Amended Plat of Avalon Orchard Tracts Subdivision as filed for Record at Page 254 of Plats, Records of Ada County, Idaho and as shown on Record of Survey Number 10925, Records of Ada County, Idaho and Lying in a portion of the NW 1/4 NW 1/4 of Section 30, Township 2 North, Range 1 East, Boise Meridian, Kuna, Ada County Idaho, and more particularly described as follows:

COMMENCING at the Northwest Corner of Section 30 Township 2 North, Range 1 East, Boise Meridian which is being Marked by found Brass Cap. From which, the North 1/4 Corner of said Section 30 bears, South 89°33'02" East, 2542.47 feet (Formerly 2529.2 feet) which is being Marked by a found Aluminum Cap; Thence along the Northerly Boundary Line of the NW 1/4 of said Section 30, North 89°33'02" East, 1218.27 feet (Formerly 1209.2') to the West 1/16th Corner of said Section 30; Thence leaving said Northerly Boundary Line, South 39°03'57" West, 32.00 feet to the Intersection of the Southerly Right of Way Line of East Kuna Road and the Westerly Platted Right of Way Line of said Amended Plat of Avalon Orchard Tracts Subdivision being Marked by a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251"; Thence leaving the Southerly Right of Way Line of East Kuna Road, and along Westerly Platted Right of Way Line of said Amended Plat of Avalon Orchard Tracts Subdivision South 00°22'41" West, 202.27 feet to a the **POINT OF BEGINNING**:

Thence continuing along the Westerly Platted Right of Way Line of said Amended Plat of Avalon Orchard Tracts Subdivision, South 00°22'41" West, 873.73 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251" on the North Top of Bank of Indian Creek (South Side Canal);

Thence leaving said Westerly Right of Way Line, and along the North Top of Bank of Indian Creek (South Side Canal), North 45°19'05" West, 68.34 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, North 89°06'33" West, 153.27 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, North 69°19'34" West, 91.26 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, South 78°51'30" West, 201.10 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, South 43°04'06" West, 114.28 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, South 66°46'52" West, 55.20 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, South 37°04'11" West, 79.52 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";



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Thence continuing, South 20°11'11" West, 54.91 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, South 03°24'44" West, 100.21 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, South 62°07'09" West, 42.84 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, South 87°46'26" West, 134.59 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, North 51°43'01" West, 70.13 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, North 47°20'08" West, 72.74 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence leaving said North Top of Bank, North 00°47'55" West, 281.59 feet to a point on the Centerline of the Teed 346 Rotation Sub-Lateral;

Thence along the Centerline of the Teed 346 Rotation Sub-Lateral the following courses and distance:

1. Southeasterly 12.35 feet along the arc of a Non-Tangent curve to the right having a radius of 197.19 feet, a Central angle of 03°35'18" and a long chord which bears, South 52°34'51" East, 12.35 feet to a point;
2. South 48°50'32" East, 141.03 feet to a point;
3. South 54°24'31" East, 55.42 feet to a point;
4. Southeasterly 33.43 feet along the arc of a Non-Tangent curve to the left having a radius of 38.03 feet, a Central angle of 50°21'32" and a long chord which bears, South 79°34'54" East, 32.36 feet to a point;
5. Northeasterly 66.12 feet along the arc of a Non-Tangent curve to the left having a radius of 198.51 feet, a Central angle of 19°04'58" and a long chord which bears, North 65°42'15" East, 65.81 feet to a point;
6. Northeasterly 116.76 feet along the arc of a Non-Tangent curve to the left having a radius of 277.85 feet, a Central angle of 24°04'36" and a long chord which bears, North 33°39'54" East, 115.90 feet to a point;
7. Northeasterly 20.01 feet along the arc of a Non-Tangent curve to the left having a radius of 45.42 a Central angle of 25°14'38" and a long chord which bears, North 09°00'08" East, 19.85 feet to a point;
8. North 00°27'36" East, 91.98 feet to a point;
9. Northeasterly 91.59 feet along the arc of a Non-Tangent curve to the right having a radius of 192.42 feet a Central angle of 27°16'22" and a long chord which bears, North 14°05'46" East, 90.73 feet to a point;
10. Northeasterly 56.46 feet along the arc of a Non-Tangent curve to the right having a radius of 95.00 feet, a Central angle of 34°03'00" and a long chord which bears, North 44°45'33" East, 55.63 feet to a point;
11. North 51°08'47" East, 67.26 feet to a point;
12. Northeasterly 73.93 feet along the arc of a curve to the left having a radius of 215.91 feet, a Central angle of 19°37'08" and a long chord which bears, North 21°44'37" East, 73.57 feet to a point;
13. North 15°27'33" East, 54.66 feet to a point;

14. North 08°29'03" East, 64.63 feet to a point;
15. Northeasterly 53.06 feet along the arc of a Non-Tangent curve to the right having a radius of 105.54 feet, a Central angle of 28°48'13" and a long chord which bears, North 22°53'56" East, 52.50 feet to a point;
16. North 40°39'46" East, 102.55 feet to a point;
17. North 36°40'07" East, 72.95 feet to a point;
18. Northeasterly 144.55 feet along the arc of a Non-Tangent curve to the right having a radius of 214.67 feet, a Central angle of 38°34'46" and a long chord which bears, North 63°14'57" East, 141.83 feet to a point;
19. North 81°53'51" East, 100.21 feet to a point;
20. North 67°54'02" East, 53.20 feet to a point;
21. North 52°46'16" East, 63.95 feet to a point;
22. North 49°59'10" East, 44.25 feet to the POINT OF BEGINNING:

The above described Parcel of Land contains 10.90 Acres more or less.



COMPASS LAND SURVEYING, P.L.L.C.

3818 E. Newby Street, Suite 103
Nampa, Idaho 83687

Telephone: (208) 442-0115
Fax: (208) 327-2106
Email: rgray.cls@gmail.com

Client: Debra Young
Date: 6/15/17
Job No.: 2717
RE:

DEBRA YOUNG EAST PARCEL DESCRIPTION

The following describes a Parcel of Land being a portion of Lots 1 & 3, and a portion of Lots 5 thru 10, Block 5 of the Amended Plat of Avalon Orchard Tracts Subdivision as filed for Record at Page 254 of Plats, Records of Ada County, Idaho and as shown on Record of Survey Number 10925, Records of Ada County, Idaho and Lying in a portion of the NE 1/4 NW 1/4 of Section 30, Township 2 North, Range 1 East, Boise Meridian, Kuna, Ada County Idaho, and more particularly described as follows:

COMMENCING at the Northwest Corner of Section 30 Township 2 North, Range 1 East, Boise Meridian which is being Marked by found Brass Cap. From which, the North 1/4 Corner of said Section 30 bears, South 89°33'02" East, 2542.47 feet (Formerly 2529.2 feet) which is being Marked by a found Aluminum Cap; Thence along the Northerly Boundary Line of the NW 1/4 of said Section 30, North 89°33'02" East, 1218.27 feet (Formerly 1209.2 feet) to the West 1/16th Corner of said Section 30; Thence leaving said Northerly Boundary Line, South 38°15'14" East, 32.04 feet to the Intersection of the Southerly Right of Way Line of East Kuna Road and the Easterly Platted Right of Way Line of said Amended Plat of Avalon Orchard Tracts Subdivision being Marked by a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251"; Thence leaving said Intersection, and along the Southerly Right of Way Line of East Kuna Road, South 89°33'02" East, 642.05 feet (Formerly 640 feet) to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251", the **POINT OF BEGINNING**;

Thence continuing along the Southerly Right of Way Line of East Kuna Road, South 89°33'02" East, 637.03 feet (Formerly 635 feet) to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251" on the Westerly Right of Way Line of South Stroebe Road;

Thence leaving said Southerly Right of Way Line, and along the Westerly Right of Way Line of South Stroebe Road, South 00°39'08" West, 1218.80 feet (Formerly 1210.6 feet) to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251" on the North Top of Bank of Indian Creek (South Side Canal);

Thence leaving said Westerly Right of Way Line, and along the North Top of Bank of Indian Creek (South Side Canal), North 87°06'53" West, 480.36 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, North 78°58'51" West, 144.70 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, North 56°46'55" West, 110.79 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, North 72°16'58" West, 169.65 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, South 55°44'02" West, 157.47 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

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(6.19.17)

COMPASS LAND SURVEYING, PLLC

Debra young-2717\Survey\Descriptions East Parcel

Page 2 of 2

Thence continuing, South 89°56'46" West, 227.37 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, North 45°19'05" West, 54.78 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251" being on the Easterly Platted Right of Way Line of said Amended Plat of Avalon Orchard Tracts Subdivision;

Thence leaving said North Top of Bank, and along the Easterly Platted Right of Way Line of said Amended Plat of Avalon Orchard Tracts Subdivision, North 00°22'41" East, 479.18 feet (Formerly 414.5 feet) to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence leaving said Easterly Platted Right of Way Line, South 89°33'14" East, 642.05 feet (Formerly 640 feet) to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence, North 00°22'41" East, 635.80 feet (Formerly 635.8 feet) to the POINT OF BEGINNING:

The above described Parcel of Land contains 24.70 Acres more or less.





May 18, 2017

INVITATION TO NEIGHBORHOOD MEETING

Dear Property Owner:

Kuna City Code requires an opportunity for a meeting between the applicant of a development proposal and the residents of the neighborhood in which the development site is located. The meeting shall occur prior to formal submittal of the development application to the City. This letter is a notice of an opportunity to review and discuss our proposed preliminary plat located at the southwest corner of Kuna Road and Stroebel Road. This is not a public hearing; public officials will not be at the meeting. If you have any questions regarding this Kuna City Code neighborhood meeting requirement, please contact the Planning Division at 922-5274. If you have any questions about the proposed development please give me a call at 871-7020.

Purpose: To review and provide comments regarding the proposed Preliminary Plat.

When: May 25, 2017, at 6:00-7:00 p.m.

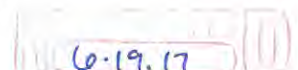
Where: On the site at the southwest corner of Kuna Road and Stroebel Road.

Project Description: The applicant is proposing to subdivide approximately 36.3-acres into approximately 90-100 single family lots.

If you cannot attend the meeting and have questions concerning the application for Preliminary Plat applications, please feel free to call me at 871-7020.

Sincerely,
A Team Land Consultants

Steve Arnold
Project & Real Estate Manager





Neighborhood Meeting Certification

CITY OF KUNA PLANNING & ZONING * 763 W. Avalon, Kuna, Idaho, 83634 * www.kunacity.id.gov * (208) 922-5274 * Fax: (208) 922-5989

GENERAL INFORMATION:

You must conduct a neighborhood meeting prior to application for variance, conditional use, zoning ordinance map amendment, expansion or extension of a nonconforming use, and/or a subdivision. Please see Section 8-7A-3 of the Kuna City Code or ask one of our planners for more information on neighborhood meetings.

The meeting must be held either on a weekend between 10 a.m. and 7 p.m., or a weekday between 6 p.m. and 8 p.m. Meetings cannot be conducted on holidays, holiday weekends, or the day before or after a holiday or holiday weekend. The meeting must be held at one of the following locations:

- The Subject Property;
- The nearest available public meeting place (Examples include fire stations, libraries and community centers);
- An office space within a 1-mile radius of the subject property.

The meeting cannot take place more than 2 months prior to acceptance of the application and the application will not be accepted before the neighborhood meeting is conducted. You are required to send written notification of your meeting, allowing a reasonable amount of time before your meeting for property owners to plan to attend. Contacting and/or meeting individually with residents will not fulfill Neighborhood Meeting requirements.

You may request a list of the people you need to invite to the neighborhood meeting from our department. This list includes property owners within 300 feet of the subject property. Once you have held your neighborhood meeting, please complete this certification form and include it with your application.

Please Note: The neighborhood meeting must be conducted in one location for attendance by all neighboring residents. Contacting and/or meeting individually with residents does not comply with the neighborhood meeting requirements.

Please include a copy of the sign-in sheet for your neighborhood meeting, so we have written record of who attended your meeting and the letter of intent sent to each recipient. In addition, provide any concerns that may have been addressed by individuals that attended the meeting.

Description of proposed project: 91 Single Family Residential Subdivision

Date and time of neighborhood meeting: May 25, 2017 at 6pm

Location of neighborhood meeting: On Site, 2067 E Kuna Road, Kuna ID. 83634

SITE INFORMATION:

Location: Quarter: 1/4 Section: 30 Township: 2N Range: 1E Total Acres: 36.3

Subdivision Name: Avalon Orchard Tracts AMD Lot: _____ Block: _____

Site Address: 2067 E Kuna Road Tax Parcel Number(s): R0615250650
Kuna Id 83634

Please make sure to include all parcels & addresses included in your proposed use.

CURRENT PROPERTY OWNER:

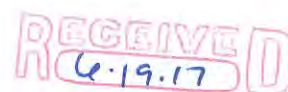
Name: Debra Young, Representative

Address: 1143 N 3400 E. City: Rigby State: ID Zip: 83422

CONTACT PERSON (Mail recipient and person to call with questions):

Name: Steve Arnold Business (if applicable): A Team Land Consultants

Address: 1785 Whisper Cove City: Boise State: ID Zip: 83709



PROPOSED USE:

I request a neighborhood meeting list for the following proposed use of my property (check all that apply):

Application Type

Annexation
Re-zone
Subdivision (Sketch Plat and/or Prelim. Plat)
Special Use
Variance
Expansion of Extension of a Nonconforming Use
Zoning Ordinance Map Amendment

Brief Description

Annexation, Rezone and Preliminary plat for
91 single family homes.

APPLICANT:

Name: A Team Land Consultants
Address: 1785 Whisper Cove Avenue
City: Boise State: ID Zip: 83709
Telephone: 321-0525 Fax: 401-0977

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with Section 5-1A-2 of the Kuna City Code

Signature: (Applicant) Steve Arnold Date 6/14/17

SIGN IN SHEET

PROJECT NAME: Rising Sun Subdivision

Date: 5/25/17

OB

	Name	Address	Zip	Phone /E-mail
1	JIM MAIN	414 S SAILER	83634	JMAIN@DESIGNWESTID.C
2	Ruthmain	414 S Sailer	83634	bedog414@aol.com
3	Phyllis Linsen	300 S Stroebel	83634	922-5488
4	Hay Young	399 N MEIDEN	83634	PLURANK@aol
5	BEN DECKER	490 STROEBEL	83634	BEALANDTERRI@MSN.CC
6	Sid Anderson	474 STROEBEL	83634	siderson@gmail.com
7	Paul Linsen	2735 E KUNA	83634	The Paul Linsen Group
8	Lorenz Thymen	800 S Locust Ave	83634	208-922-4498
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